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STATUTORY INSTRUMENTS

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**1996 No. 1635**

**SPORTS GROUNDS AND SPORTING EVENTS**

The Football Spectators (Corresponding  
Offences in the Republic of Ireland) Order 1996

<i>Made</i>	- - - -	<i>26th June 1996</i>
<i>Laid before Parliament</i>		<i>8th July 1996</i>
<i>Coming into force</i>	- -	<i>1st August 1996</i>

At the Court at Buckingham Palace, the 26th day of June 1996

Present,

The Queen's Most Excellent Majesty in Council

Whereas it appears to Her Majesty that the offences under the law of the Republic of Ireland described in Schedule 1 to this Order correspond to offences specified in Schedule 1 to the Football Spectators Act 1989(1):

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 22(1) of the Football Spectators Act 1989(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows: —

1.—(1) This Order may be cited as the Football Spectators (Corresponding Offences in the Republic of Ireland) Order 1996 and shall come into force on 1st August 1996.

(2) In this Order “the 1989 Act” means the Football Spectators Act 1989.

2.—(1) The Offences under the law of the Republic of Ireland which are described in Schedule 1 to this Order are hereby specified as offences corresponding to the offences specified in Schedule 1 to the 1989 Act.

(2) In Schedule 1 to this Order —

- (a) the expression “period relevant to” shall be construed in accordance with section 1(8) of the 1989 Act, and
- (b) “specified football match” means any association football match played in the Republic of Ireland involving a team which represents —

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(1) 1989 c. 37; Schedule 1 was amended by section 5(3) of the Football Offences Act 1991 (c. 19).

(2) The power in section 22(1) is supplemented by section 22(9) of that Act.

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- (i) a country or territory, or
- (ii) a club from England or Wales which is, at the time the match is played, a member of the Football Association Premier League or (whether a full or associate member) of the Football League.

**3.** The Garda Síochána is hereby specified as the authority in the Republic of Ireland which is to certify the conviction of a person there of any offence specified in Schedule 1 to this Order, the nature and circumstances of the offence and whether or not the conviction is the subject of proceedings there questioning it.

**4.** The form of certificate certifying the matters referred to in article 3 above is hereby specified in Schedule 2 to this Order.

**5.** In Schedule 1 to this Order, references to “sections” are references to sections of the Criminal Justice (Public Order) Act 1994, a statute of the Republic of Ireland.

*N. H. Nicholls*  
Clerk of the Privy Council

SCHEDULE 1

Article 2

OFFENCES UNDER THE LAW OF THE REPUBLIC OF IRELAND  
CORRESPONDING TO OFFENCES IN SCHEDULE 1 TO THE 1989 ACT

1. Any offence under section 4 (intoxication in a public place), or section 22 (failure to surrender intoxicating liquor or disposable container), committed by the accused at any specified football match or while entering or trying to enter the ground.

2. Any offence of using or engaging in threatening, abusive or insulting words or behaviour under section 6 committed during a period relevant to a specified football match at any premises where the accused was at, or was entering or trying to enter or leave, the premises.

3. Any offence involving the use or threat of violence by the accused towards another person committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or trying to enter or leave, the premises.

4. Any offence under section 7 of distributing or displaying in a public place material which is threatening, abusive or insulting committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

5. Any offence under section 11 involving the threat of or actual unlawful interference with any property committed during a period relevant to a designated football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

6. Any offence under section 4 (intoxication in a public place), or 22 (failure to surrender intoxicating liquor or disposable container), committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

7. Any offence of using or engaging in threatening, abusive or insulting words or behaviour under section 6 committed while the accused was on a journey to or from a specified football match, being an offence which relates to football matches.

8. Any offence involving the use or threat of violence by the accused towards another person committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

9. Any offence under section 7 of distributing or displaying in a public place material which is threatening, abusive, or insulting committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

10. Any offence under section 11 involving the threat of or actual unlawful interference with any property committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

11. Any offence of driving a motor vehicle when under the influence of drink or drugs, or with alcohol concentration above a prescribed limit, committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

SCHEDULE 2

Article 4

FORM OF CERTIFICATE TO BE GIVEN BY THE GARDA S OCH NA TO CERTIFY  
THE CONVICTION OF A PERSON IN THE REPUBLIC OF IRELAND OF AN

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OFFENCE SPECIFIED IN SCHEDULE 1 TO THE FOOTBALL SPECTATORS (CORRESPONDING OFFENCES IN THE REPUBLIC OF IRELAND) ORDER 1996

I [insert name], a [insert name of office held] in the Garda Síochána, hereby certify as follows:

(a) [insert name and, if known, address and date of birth of convicted person] was on [insert date of conviction] convicted by [insert name of court] of the offence of [insert name of offence, with reference to the relevant provision of the Republic of Ireland's legislation] and sentenced to [insert name of punishment imposed];

(b) the offence was committed -

\*Delete whichever is inappropriate (i) at [state time when offence was committed], which is a time relevant to the football match at [insert name of place where match was held], being a match which was between [insert names of teams], because—

- \*[the match started at ....], or
\*[the match was advertised to start at ....], or
\*[spectators were first admitted to the ground at ....], or
\*[the match ended at ....], or
\*[although the match was postponed, it was advertised to start at ....], or
\*[although the match did not take place, it was advertised to start at ....]

at [insert name or description of premises where offence was committed and whether the accused was at, or was entering or leaving or trying to enter or leave, those premises] in the following circumstances [state circumstances in which offence was committed]; or

(ii) while the accused was on a journey \*[to] \*[from] the football match at [insert name of place where match was held] on [insert date], being a match which was between [insert names of teams], the offence was one that related to football matches and was committed in the following circumstances [state circumstances in which the offence was committed];

(c) the conviction—

- (i) is not the subject of proceedings in a court of law in the Republic of Ireland questioning it; or
(ii) has been the subject of proceedings in a court of law in the Republic of Ireland questioning it and the final result of those proceedings is as follows [insert result];

(d) the information given above is, to the best of my knowledge and belief, true.

Signed

Date

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of, and Schedule 1 to, this Order specify offences under the law of the Republic of Ireland which appear to Her Majesty to correspond to certain of the offences specified in Schedule 1 to the Football Spectators Act 1989. Under section 22 of that Act proceedings may be commenced before

magistrates against a person who resides or is believed to reside in an area in England or Wales if that person has been convicted of such an offence. Under such proceedings a restriction order may be made against such a person. Under section 19 of that Act the person to whom such an order applies may be required to report to a police station in England or Wales on the occasion of a football match played in any country outside England and Wales of a description for the time being designated by order under section 14(2) of that Act.

Article 3 specifies the Garda Síochána as the authority in the Republic of Ireland by which a certificate may be made certifying a person's conviction for one of the offences specified in Schedule 1 to this Order. Article 4 prescribes the form of the certificate. Under section 22(10) of the Football Spectators Act 1989 such a certificate is admissible in proceedings under Part II of that Act (which concerns restriction orders) as evidence of the facts therein stated. Under section 22(11) such facts are to be taken as proved (on production of the certificate and proof that the persons against whom the proceedings are brought as the person whose conviction is certified) unless the contrary is proved.