

*These notes refer to the Justice Act (Northern Ireland)
2011 (c.24) which received Royal Assent on 4 May 2011*

Justice Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Sport

Chapter 2 - Conduct at Regulated Matches

This Chapter outlines all of the offences being introduced which relate to conduct at matches.

Section 36: Throwing of articles capable of causing injury

This section creates an offence of throwing any article capable of causing injury if it strikes a person at or towards a playing area or other specified areas without lawful authority. A person guilty of this offence is liable to a fine not exceeding level 3 on the standard scale. Currently a level 3 fine has a maximum value of £1,000.

Section 37: Chanting

This section creates an offence of sectarian or indecent chanting during regulated matches. Chanting is defined as the repeated uttering of any words or sounds whether alone or in concert with one or more others. Chanting that consists of or includes matter which is threatening, abusive or insulting to a person by reason of that person's colour, race, nationality (including citizenship), ethnic or national origins, religious belief, sexual orientation or disability is also covered by this offence. A person guilty of this offence is liable to a fine not exceeding level 3 on the standard scale currently with a maximum of £1,000.

Section 38: Going onto the playing area

This section makes it an offence for a person to go onto the playing area, or any area adjacent to the playing area to which spectators are not generally admitted, without lawful authority or excuse. A person guilty of this offence is liable to a fine not exceeding level 3 on the standard scale (current maximum £1,000).

Section 39: Possession of fireworks, flares, etc.

This section creates an offence of having a specified article when at a regulated match or trying to enter a ground during the regulated period. A specified article

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is a firework or an article or substance whose main purpose is the emission of a flare for purposes of illuminating or signalling (as opposed to igniting or heating) or the emission of smoke or a visible gas. In particular this applies to distress flares, fog signals and pellets and capsules intended to be used as fumigators or for pipe testing but not to matches, cigarette lighters or heaters. A person guilty of this offence is liable to a fine not exceeding level 3 on the standard scale (current maximum £1,000) or to imprisonment for a term not exceeding 3 months.