



2011 CHAPTER 24

PART 4

SPORT

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BANNING ORDERS IN RELATION TO REGULATED MATCHES

Banning orders: supplementary

43.—(1) The court may adjourn any proceedings under section 41 in relation to a banning order even after sentencing the offender.

(2) If the offender does not appear for any adjourned proceedings, the court may further adjourn the proceedings or may issue a warrant for the offender's arrest.

(3) If the court adjourns or further adjourns any proceedings under subsection (1) or (2), the court may remand the offender.

(4) A person who, by virtue of subsection (3), is remanded on bail may be required by the conditions of bail not to leave Northern Ireland before appearing before the court.

(5) The court may not issue a warrant under subsection (2) for the offender's arrest unless it is satisfied that the offender has had adequate notice of the time and place of the adjourned proceedings.

(6) The prosecution has a right of appeal against a failure by the court to make a banning order—

- (a) where the failure is by a magistrates' court, to the county court; and
- (b) where it is by the Crown Court, to the Court of Appeal.

(7) An appeal under subsection (6)(b) may be brought only if the Court of Appeal gives leave or the judge who decided not to make an order grants a certificate that the decision is fit for appeal.

(8) A banning order made on appeal under this section is to be treated for the purposes of this Chapter as if it were an order of the court from which the appeal was brought.