

## POLICY NOTE

### THE SPORTS GROUNDS AND SPORTING EVENTS (DESIGNATION) (SCOTLAND) AMENDMENT (NO. 2) ORDER 2013

#### S.S.I. 2013/229

The above instrument was made in exercise of the powers conferred by section 18 of the Criminal Law (Consolidation) (Scotland) Act 1995. It amends the Sports Grounds and Sporting Events (Designation) (Scotland) Order 2010 (S.S.I. 2010/199), which was amended by the Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2012 (S.S.I. 2012/164) and the Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2013 (S.S.I. 2013/4). The instrument is subject to the negative procedure.

#### Policy Objectives

Alcohol and other controls at sporting events were introduced in Scotland in 1980 for reasons of public order and safety.

The principal purpose of the instrument is to designate the Scottish Professional Football League following the merger of the Scottish Premier League and the Scottish Football League for the purposes of Part II of the Criminal Law (Consolidation)(Scotland) Act 1995.

Part II of the 1995 Act imposes certain restrictions on the sale and consumption of alcohol at designated grounds for designated sporting events.

Designation, as proposed, will mean that it is an offence to:

- be in possession of alcohol or a controlled container in a designated ground for a designated event or attempt to take alcohol in to a designated ground for a designated event \*;
- attempt to enter while drunk, or be drunk in, a designated ground at a designated event\*;
- carry alcohol or be drunk on a coach or train specifically hired for the carrying of supporters to a designated event at a designated ground.
- drink in corporate areas overlooking the field of play\* unless the blinds are closed or curtains drawn (but does allow, subject to a licence being granted, drinking in hospitality areas in the grounds of the stadium and in stadium car parks).

\* During the relevant period of a designated event which is the period commencing two hours before the start and ending one hour after the end of a designated sporting event.

The other controls that are provided for in Part II of the 1995 Act, as part of an overall package, relate to the possession of controlled substances (such as flares or fireworks) and controlled containers (such as bottles).

It is proposed that the Scottish Professional Football League, the Scottish Football Association and Police Scotland are notified of the Order when it is laid before the Parliament to alert them to the proposed change and also when the Order clears the Parliamentary process.

### **Consultation**

No formal consultation process has taken place with the football authorities as the Order merely seeks to designate the name of the Scottish Professional Football League following the merger of the Scottish Premier League and the Scottish Football League both of whom have been subject to the provisions of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995.

### **Financial Effects**

The instrument has no financial effects on the Scottish Government or local government. It will have no effect either on any of the member clubs of the Scottish Professional Football League as the clubs have been subject to the provisions of Part II of the Criminal Law (Consolidation) (Scotland) Act 1995.

Scottish Government Sport and Physical Activity Division  
July 2013