



# Football Spectators Act 1989

## 1989 CHAPTER 37

### PART II

#### FOOTBALL MATCHES OUTSIDE ENGLAND AND WALES

##### *Relevant offences outside England and Wales*

#### **22 Restriction orders arising out of offences outside England and Wales**

- (1) Her Majesty may, by Order in Council, specify offences (“corresponding offences”) under the law of any country outside England and Wales which appear to Her to correspond to any offence specified in Schedule 1 to this Act.
- (2) Upon an information being laid before a justice of the peace for any area that a person who resides or is believed to reside in that area has been convicted of a corresponding offence in a country outside England and Wales, the justice may—
  - (a) issue a summons directed to that person requiring him to appear before a magistrates' court for that area to answer to the information; or
  - (b) subject to subsection (3) below, issue a warrant to arrest that person and bring him before a magistrates' court for that area.
- (3) No warrant shall be issued under subsection (2) above unless the information is in writing and substantiated on oath.
- (4) Where a person appears or is brought before a magistrates' court in pursuance of subsection (2) above, the court, if satisfied that—
  - (a) he is ordinarily resident in England and Wales, and
  - (b) has been convicted in the country outside England and Wales of the corresponding offence,may, unless it appears that the conviction is the subject of proceedings in a court of law in that country questioning the conviction, make a restriction order in relation to him.

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*Status: This is the original version (as it was originally enacted).*

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- (5) No restriction order may be made under this section in relation to a person unless the court is satisfied that making such an order in relation to him would help to prevent violence or disorder at or in connection with designated football matches.
- (6) In proceedings under subsection (4) above, the court shall have the like powers, including power to adjourn the proceedings and meanwhile to remand the defendant on bail (but not in custody), and the proceedings shall be conducted as nearly as may be in the like manner, as if the proceedings were the trial of an information for a summary offence.
- (7) Any person aggrieved by the decision of a magistrates' court making a restriction order under this section may appeal to the Crown Court against the decision.
- (8) Sections 15(3) to (6) and 16 to 21 above shall apply in relation to a person subject to a restriction order under this section as they apply in relation to a person subject to a restriction order made by a magistrates' court under section 15.
- (9) An Order in Council under subsection (1) above relating to any country may include provision—
  - (a) specifying the authority in that country which is to certify the conviction of a person in that country of a corresponding offence, the nature and circumstances of the offence and whether or not the conviction is the subject of proceedings in that country questioning it; and
  - (b) prescribing the form of such certificates.
- (10) A certificate in the form prescribed by an Order in Council under subsection (1) above shall be admissible in any proceedings under this Part of this Act as evidence of the facts stated in the certificate and a document in that form shall be taken to be such a certificate unless the contrary is proved.
- (11) In proceedings against a person under this section, the facts stated in such a certificate shall, on production of the certificate and proof that that person is the person whose conviction is certified, be taken to be proved unless the contrary is proved.
- (12) Any statutory instrument containing an Order under subsection (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.