



# Policing and Crime Act 2009

## 2009 CHAPTER 26

### PART 8

#### MISCELLANEOUS

### CHAPTER 2

#### OTHER

#### *Football spectators*

#### **103 Prohibiting attendance at matches in Scotland and Northern Ireland etc**

- (1) In the provisions of the [Football Spectators Act 1989 \(c. 37\)](#) listed in subsection (2) for “England and Wales” (in each place) substitute “the United Kingdom”.
- (2) The provisions are—
  - (a) in section 14 (definition of banning order and other terms), subsections (2), (3), (4), (5) and (6),
  - (b) in section 19 (functions of enforcing authority and local police), subsections (2), (2A) and (2E)(a), and
  - (c) in section 21A (summary measures: detention), subsection (1).
- (3) In section 19(2B)(b) of that Act omit “if the match is outside the United Kingdom”.

#### **104 Requirements to report at police stations**

- (1) The police station specified under any of the provisions listed in subsection (2) may be in England, Wales, Scotland or Northern Ireland.
- (2) The provisions are—
  - (a) section 14E(2) of the [Football Spectators Act 1989](#) (banning order to include requirement to report initially at specified police station),

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*Status: This is the original version (as it was originally enacted).*

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- (b) section 19(2B) of that Act (notice, in connection with regulated football match outside United Kingdom, requiring person to report at specified police station),
  - (c) section 53(2) of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#) (football banning order to include requirement to report initially at specified police station),
  - (d) section 61(4) of that Act (notice, in connection with regulated football match outside United Kingdom, requiring person to report at specified police station).
- (3) In section 14E(2) of the [Football Spectators Act 1989 \(c. 37\)](#) omit “in England and Wales”.
- (4) In section 53(2)(a) of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006](#) omit “in Scotland”.
- (5) In section 66(1) of that Act for “Scotland” substitute “the United Kingdom”.

#### **105 Enforcement of 1989 Act in Scotland and Northern Ireland**

- (1) The following provisions of the [Football Spectators Act 1989](#) extend to Scotland and Northern Ireland—
- (a) section 14J(1) (offence of failing to comply with a requirement imposed by a banning order or a requirement imposed under section 19(2B) or (2C)),
  - (b) section 19(6) (offence of failing, without reasonable excuse, to comply with a requirement imposed under section 19(2)),
  - (c) section 20(10) (offence of making a false statement, etc. in connection with an application for exemption from requirements imposed by or under Part 2).
- (2) But in Scotland it is a defence where a person is charged with an offence by virtue of subsection (1)(a) to prove that the person had a reasonable excuse for failing to comply with the requirement in question.
- (3) A person guilty of an offence by virtue of subsection (1)(a) is liable on summary conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- (4) A person guilty of an offence by virtue of subsection (1)(b) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) A person guilty of an offence by virtue of subsection (1)(c) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

#### **106 Enforcement of 2006 Act in England and Wales and Northern Ireland**

- (1) The following provisions of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006](#) extend to England and Wales and Northern Ireland—
- (a) section 68(1) and (2) (offences of failing to comply with a requirement imposed by a football banning order, under section 61(1) or by a notice under section 61(4), and defence of reasonable excuse),
  - (b) section 68(5) (offence of making a false statement, etc. in connection with an application for exemption from a notice under section 61(4)).

- (2) A person guilty of an offence under section 68(1)(a) or (c) of that Act by virtue of subsection (1)(a) is liable on summary conviction—
- (a) in England and Wales, to imprisonment for a term not exceeding 51 weeks or a fine not exceeding level 5 on the standard scale (or both),
  - (b) in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- But in relation to an offence committed before the commencement of section 281(5) of the [Criminal Justice Act 2003 \(c. 44\)](#) the reference in paragraph (a) to 51 weeks is to be read as a reference to 6 months.
- (3) A person guilty of an offence under section 68(1)(b) of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#) by virtue of subsection (1)(a) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (4) A person guilty of an offence by virtue of subsection (1)(b) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) Omit articles 1(5) and 5 of the [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(Consequential Provisions and Modifications\) Order 2007 \(S.I. 2007/1098\)](#).

## **107 Relevant offences for purposes of Part 2 of 1989 Act**

In Schedule 1 to the [Football Spectators Act 1989 \(c. 37\)](#) (offences) in paragraph 1(a)

- (a) after “14J(1)” insert “, 19(6), 20(10)”, and
- (b) after “of this Act” insert “or section 68(1) or (5) of the Police, Public Order and Criminal Justice (Scotland) Act 2006 by virtue of section 106 of the Policing and Crime Act 2009”.