
STATUTORY INSTRUMENTS

2000 No. 1108

SPORTS GROUNDS AND SPORTING EVENTS

The Football Spectators (Corresponding
Offences in Belgium) Order 2000

<i>Made</i>	- - - -	<i>19th April 2000</i>
<i>Laid before Parliament</i>		<i>3rd May 2000</i>
<i>Coming into force</i>	- -	<i>24th May 2000</i>

At the Court at Windsor Castle, the 19th day of April 2000

Present,

The Queen's Most Excellent Majesty in Council

Whereas it appears to Her Majesty that the offences under the law of Belgium described in Schedule 1 to this Order correspond to offences specified in Schedule 1 to the Football Spectators Act 1989(1); Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 22(1) of the Football Spectators Act 1989(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Football Spectators (Corresponding Offences in the Belgium) Order 2000 and shall come into force on 24th May 2000.

(2) In this Order “the 1989 Act” means the Football Spectators Act 1989.

2.—(1) The offences under the law of Belgium which are described in Schedule 1 to this Order are hereby specified as offences corresponding to the offences specified in Schedule 1 to the 1989 Act.

(2) In Schedule 1 to this Order—

(a) “specified football match” means any association football match played in Belgium—

(i) involving a team which represents a country or territory, or

(1) 1989 c. 37; Schedule 1 was amended by section 5(3) of the Football Offences Act 1991 (c. 19) and by section 2(1) and (2) of the Football (Offences and Disorder) Act 1999 (c. 21).

(2) Section 22 was amended by sections 1(2)(b) and 5 of the Football (Offences and Disorder) Act 1999. The power in section 22(1) is supplemented by section 22(1A) inserted by section 5 of the 1999 Act and by section 22(9) as amended by section 5 of the 1999 Act.

- (ii) involving a team which represents a club from England or Wales which is, at the time the match is played, a member (whether a full or associate member) of the Football Association Premier League or the Football League, or
 - (iii) which is part of a tournament organised by the Federation of International Football Associations (FIFA) or the Union of European Football Associations (UEFA).
- (b) the expression “period relevant to” means the period beginning 72 hours before the start of the match and ending 72 hours after the end of the match.

3. For the purposes of Schedule 1 to this Order—

- (a) a person may be regarded as having been on a journey to or from a specified football match whether or not he attended or intended to attend the match;
- (b) a person’s journey includes breaks (including overnight breaks); and
- (c) any reference to an offence includes a reference to any attempt, conspiracy or incitement to commit that offence and includes a reference to aiding and abetting, counselling and procuring the commission of that offence.

4.—(1) The documentary form in which details are to be given of the conviction of a person in Belgium of a corresponding offence and the nature and circumstances of the offence is hereby specified as a certificate given by the Ministry of Justice or the Ministry of the Interior of Belgium in the form set out in Schedule 2 to this Order or a form to the like effect.

(2) The documentary form in which details are to be given of the fact that the conviction is not the subject of proceedings in Belgium questioning it is hereby specified as a statement included in the form set out in Schedule 2 that the judgement is final.

(3) An accurate translation of the form set out in Schedule 2 in the Dutch or French language shall be regarded as a form to the like effect.

A. K. Galloway
Clerk of the Privy Council

SCHEDULE 1

Article 2

OFFENCES UNDER THE LAW OF BELGIUM CORRESPONDING TO OFFENCES IN SCHEDULE 1 TO THE 1989 ACT

Offences described below will only correspond to offences in Schedule 1 to the 1989 Act in the case of paragraphs 1, 2 and 3 if the condition in paragraph (a) below is satisfied; in the case of paragraph 4 if the condition in either paragraph (a) or (b) below is satisfied; in the case of paragraph 5 if the condition in paragraph (b) below is satisfied; and in the case of paragraphs 6, 7, 8 and 9 if the condition in either paragraphs (a), (b) or (c) is satisfied.

- (a) The offence was committed while at or while entering, leaving or while trying to enter or leave a specified football match.
- (b) The offence was committed while on a journey to or from a specified football match and related to football.
- (c) The offence was committed during a period relevant to a specified football match and the offence related to that match.

1. Any offence under article 20 of the Belgian *Wet van 21 december 1998 betreffende de veiligheid bij voetbalwedstrijden* involving throwing an object towards the playing area, its surroundings or the stands.

2. Any offence under article 22 of the Belgian *Wet van 21 december 1998 betreffende de veiligheid bij voetbalwedstrijden* involving going on to the playing area or areas adjacent to it to which spectators are not permitted without lawful excuse.

3. Any offence under article 23 of the Belgian *Wet van 21 december 1998 betreffende de veiligheid bij voetbalwedstrijden* involving disrupting a football match by incitement to violence or hatred.

4. Any offence under article 1 of the Belgian *Besluitswet van 14 november 1939 betreffende de beteugeling van de dronkenschap* involving being drunk or drunk and disorderly in a public place.

5. Any offence under the Belgian *Wegverkeerswet van 16 maart 1968* involving driving under the influence of drink and drugs.

6. Any offence involving the use or threat of violence by the offender towards another person.

7. Any offence involving the use or threat of violence by the offender towards property.

8. Any offence under article 1 of the Belgian *Wet van 30 juli 1981 tot bestraffing van bepaalde door racisme of xenofobie ingegeven daden* involving incitement by the offender of hatred or violence against a person or group because of their race, colour, ethnic origin or nationality.

9. Any offence under article 275 of the Belgian *Strafwetboek van 8 juni 1867* involving threatening, abusive or insulting behaviour.

10. Any offence under article 38 of the *Wet van 21 december 1998 betreffende de veiligheid bij voetbalwedstrijden* involving the sale of tickets for a specified football match without the authority of the organiser.

SCHEDULE 2

Article 4

CERTIFICATE TO CERTIFY THE CONVICTION OF A PERSON IN BELGIUM OF AN OFFENCE SPECIFIED IN SCHEDULE 1 TO THE FOOTBALL SPECTATORS (CORRESPONDING OFFENCES IN BELGIUM) ORDER 2000.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

I, [position]
hereby certify as follows:

(a) Name:

(b) Address:
.....
.....

(c) Date of Birth:

(d) Was on convicted of the offence
of [offence]
..... [article and law]
and sentenced to

(e) The judgement is final

(f) The date and time of the offence were:

(g) The circumstances of the offence were
.....
.....
.....

(h) The offence was committed (delete as appropriate):

[(i) while the offender was at or was entering, leaving or trying to enter or leave a football match]

[(ii) while the offender was on a journey to or from a football match and related to football]

[(iii) during a period within 72 hours of a football match and related to that match]

(i) The relevant football match was between (team) and (team)

Held at (place)

On (date) at (time)

(j) The information given above is, to the best of my knowledge and belief, true.

Signed:

Date:

[Stamp of Ministry of Justice/Ministry of Interior]

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of, and Schedule 1 to, this Order specify offences under the law of Belgium which appear to Her Majesty to correspond to certain of the offences specified in Schedule 1 to the Football Spectators Act 1989. Under section 22 of that Act proceedings may be commenced before magistrates against a person who resides or is believed to reside in an area in England or Wales if that person has been convicted of such an offence. In such proceedings an international football banning order may be made against such a person. Under section 19 of that Act the person to whom such an order applies may be required to report to a police station in England or Wales and to comply with any other conditions imposed on the occasion of a football match played in any country outside England and Wales of a description for the time being designated by order under section 14(2) of that Act.

Article 4 specifies a certificate given by the Belgium Ministry of Justice or Ministry of the Interior in the Form set out in Schedule 2 as the documentary form in which details of the conviction and related circumstances are to be given.

Under section 22(10) of the 1989 Act, a document in the form prescribed by this Order is admissible in proceedings under Part II of that Act (which concerns international football banning orders) arising from convictions in Belgium as evidence of the facts there stated. Under section 22(11) facts stated in the document are to be taken as proved (on production of the document and proof that the person against whom the proceedings are brought is the person whose conviction is set out in the document) unless the contrary is proved.