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STATUTORY INSTRUMENTS

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**2000 No. 1109**

**SPORTS GROUNDS AND SPORTING EVENTS**

The Football Spectators (Corresponding  
Offences in the Netherlands) 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 the Netherlands 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 Netherlands) 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 the Netherlands 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 the Netherlands—

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(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.

- (i) involving a team which represents a country or territory, or
  - (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);
  - (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 the Netherlands of a corresponding offence and the nature and circumstances of the offence is hereby specified as a certificate given by the Netherlands Public Prosecutor 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 the Netherlands 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 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 THE NETHERLANDS  
CORRESPONDING TO OFFENCES IN SCHEDULE 1 TO THE 1989 ACT

The following offences correspond to offences in Schedule 1 to the 1989 Act if committed:

- (i) while at or while entering, leaving or trying to enter or leave a specified football match;
- (ii) while on a journey to or from a specified football match and the offence related to football; or
- (iii) during a period relevant to a specified football match and the offence related to that match.

1. Any offence involving the use or threat of violence by the offender towards another person.
2. Any offence involving the use or threat of violence by the offender towards property.
3. Any offence under Articles 137 or 266 of *Wetboek van Strafrecht* (the Netherlands Criminal Code) involving use by the offender of insulting words or behaviour, the display by the offender of racist material or the incitement by the offender of racial hatred or violence.

SCHEDULE 2

Article 3

CERTIFICATE TO BE GIVEN BY THE NETHERLANDS PUBLIC PROSECUTOR TO CERTIFY THE CONVICTION OF A PERSON IN THE NETHERLANDS OF AN OFFENCE SPECIFIED IN SCHEDULE 1 TO THE FOOTBALL SPECTATORS (CORRESPONDING OFFENCES IN THE NETHERLANDS) 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, .....  
a public prosecutor at the court (of appeal) at .....  
hereby certify as follows:

(a) Name: .....

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

(c) Date of Birth: .....

(d) Was on ..... convicted of the offence of .....  
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: .....

[position/stamp]

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### 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 the Netherlands 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 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.

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Article 4 specifies a certificate given by the Netherlands Public Prosecutor 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 the Netherlands 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.