



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 1

FOOTBALL BANNING ORDERS

Miscellaneous and general

67 Service of documents

- (1) A document required by this Chapter to be served on a person is served on the person if—
 - (a) given to the person; or
 - (b) sent to the person by registered post or a recorded delivery service.
- (2) A certificate of posting of a letter sent under subsection (1)(b) issued by the postal operator concerned is sufficient evidence of the sending of the letter on the day specified in the certificate.
- (3) In subsection (2), “postal operator” has the meaning given by ^[F1]section 27 of the Postal Services Act 2011 (c.5)].

Textual Amendments

- F1** Words in s. 67(3) substituted (1.10.2011) by [The Postal Services Act 2011 \(Consequential Modifications and Amendments\) Order 2011 \(S.I. 2011/2085\)](#), art. 1(2), [Sch. 1 para. 65](#)

Changes to legislation: Police, Public Order and Criminal Justice (Scotland) Act 2006, Cross Heading:
 Miscellaneous and general is up to date with all changes known to be in force on or before 16 December 2023.
 There are changes that may be brought into force at a future date. Changes that have been made appear in
 the content and are referenced with annotations. (See end of Document for details) View outstanding changes

68 Offences under this Chapter

- (1) A person who fails to comply with any requirement imposed on the person—
 - (a) by a football banning order;
 - (b) under section 61(1); or
 - (c) by a notice under section 61(4),
 commits an offence.
- (2) It is a defence for a person charged with an offence under subsection (1) to prove that the person had a reasonable excuse for failing to comply with the requirement.
- (3) A person who commits an offence under subsection (1)(a) or (c) is liable on summary conviction to—
 - (a) imprisonment for a term not exceeding 6 months;
 - (b) a fine not exceeding level 5 on the standard scale; or
 - (c) both such imprisonment and such a fine.
- (4) A person who commits an offence under subsection (1)(b) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) A person who, in connection with an application under section 64 to be exempted from a notice under section 61(4)—
 - (a) knowingly or recklessly makes a statement which is false or misleading in a material particular; or
 - (b) knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document which is false or misleading in a material particular,
 commits an offence.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Modifications etc. (not altering text)

C1 S. 68(1)(2)(5) extended to E. W. and N.I. (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 106(1)(a), 116(1); S.I. 2010/507, [art. 5\(o\)](#) (with [art. 6](#))

69 Interpretation of Chapter 1

- (1) In this Chapter—

“the football banning orders authority” means the chief constable of the [F²Police Service of Scotland]; and

“passport” means a United Kingdom passport within the meaning of the Immigration Act 1971 (c. 77).
- (2) The Scottish Ministers may by order modify the definition of “the football banning orders authority” in subsection (1).

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Textual Amendments

- F2** Words in [s. 69\(1\)](#) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), [s. 129\(2\)](#), [Sch. 7 para. 33\(14\)](#); [S.S.I. 2013/51](#), [art. 2](#) (with transitional provisions and savings in [S.S.I. 2013/121](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)