



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

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 1

FOOTBALL BANNING ORDERS

Variation, termination, information and appeals

60 Appeals

- (1) The following are to be taken to be a sentence for the purpose of an appeal—
 - (a) a football banning order made under section 51;
 - (b) a declaration made under section 51;
 - (c) any variation of such an order under section 57;
 - (d) the termination of such an order under section 58.
- (2) Subsection (3) applies where a football banning order made under section 51 is quashed on appeal.
- (3) Where the [^{F1}court hearing the appeal] does not specify, as a reason for quashing the order, that the court which made the order erred in holding that the offence in respect of which the order was made was one to which section 51(4) applied, the [^{F2}court hearing the appeal] may, in addition to any other order which it makes, make a declaration that the offence was one to which that section applied.
- (4) The following decisions may be appealed to the sheriff principal—
 - (a) a decision to make a football banning order under section 52;
 - (b) a decision to make an order under section 57 varying such a football banning order;

Changes to legislation: There are currently no known outstanding effects for the Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 60. (See end of Document for details)

- (c) a decision to make an order under section 58 terminating such a football banning order;
 - (d) a decision not to make an order such as is mentioned in paragraph (a), (b) or (c).
- (5) An appeal under subsection (4) must be made within the period of 14 days beginning with the date on which the decision was made.
- (6) The decision of the sheriff principal on an appeal under subsection (4) may be appealed to the Court of Session.
- (7) An appeal under subsection (6) may be made only with the leave of the sheriff principal.
- (8) An application for leave to appeal under subsection (6) must be made within the period of 7 days beginning with the date of the sheriff principal's decision; and an appeal under that subsection must be made within the period of 7 days beginning with the date on which leave to appeal the sheriff principal's decision was given.

Textual Amendments

- F1** Words in s. 60(3) substituted (22.9.2015) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions No. 2\) Order 2015 \(S.S.I. 2015/338\)](#), art. 1, [Sch. 2 para. 9\(2\)\(a\)](#) (with art. 4)
- F2** Words in s. 60(3) substituted (22.9.2015) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions No. 2\) Order 2015 \(S.S.I. 2015/338\)](#), art. 1, [Sch. 2 para. 9\(2\)\(b\)](#) (with art. 4)

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