



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

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 1

FOOTBALL BANNING ORDERS

Enforcement of order in relation to foreign matches

65 Section 64: supplementary

- (1) The football banning orders authority or a constable is, in making decisions under section 64, to have regard to any guidance in that respect issued by the Scottish Ministers.
- (2) The Scottish Ministers shall make such arrangements as they consider appropriate for publishing the guidance issued from time to time for the purpose of subsection (1).
- (3) A person who is aggrieved by the refusal of the football banning orders authority or a constable to make an order under section 64 in the person's favour may appeal that refusal to the sheriff.
- (4) An appeal under subsection (3) may be made only after the aggrieved person has given notice in writing of the intention to do so—
 - (a) in the case of an appeal against a refusal by the football banning orders authority, that authority;
 - (b) in the case of an appeal against a refusal by a constable, the constable and the football banning orders authority.
- (5) An appeal under subsection (3) is to be made by summary application.

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 65 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](#)*

- (6) On an appeal under subsection (3) the sheriff may make such order as the sheriff thinks fit.
- (7) The sheriff's decision on an appeal under subsection (3) is final.

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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\(3\)](#)