

UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) ACT 2020

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Enforcement

Section 20: Power to enter and search

43. Subsection (1) enables an enforcement officer, without warrant – but only with the permission of the occupier, or of another person with the legal authority to give such permission, for instance an owner or tenant of the property – to enter and search a place (and any vehicle, vessel, container or other thing at that place) where the officer reasonably believes that a Championship offence has been or is being committed or which the officer reasonably believes has been or is being used in connection with the commission of a Championship offence.
44. Subsection (2) clarifies the scope of subsection (1), setting out that it does not give an enforcement officer the power to search an individual, or to access data which is stored electronically (for instance, on a smartphone or laptop).
45. Subsection (3) allows an enforcement officer, when entering a place under subsection (1), to take with them any other person or equipment necessary for the purposes of assisting the officer. This could, for example, be a locksmith in order to gain access. A third party of this kind may only act under the direction of the enforcement officer.
46. Subsection (3) provides that before requesting third party assistance, an enforcement officer must first notify Police Scotland.
47. Subsection (4) requires an enforcement officer who enters a place using powers conferred by this section to take reasonable steps to leave the place at least as effectively secured against unauthorised entry as the officer found it.
48. Subsection (5) clarifies that the powers set out in this section are subject to the restrictions set out in sections 21, 22 and 24.