



Sporting Events (Control of Alcohol etc.) Act 1985

1985 CHAPTER 57

E+W+S

An Act to make provision for punishing those who cause or permit intoxicating liquor to be carried on public service vehicles and railway passenger vehicles carrying passengers to or from designated sporting events or who possess intoxicating liquor on such vehicles and those who possess intoxicating liquor or certain articles capable of causing injury at designated sports grounds during the period of designated sporting events, for punishing drunkenness on such vehicles and, during the period of designated sporting events, at such grounds and, where licensed premises or premises in respect of which a club is registered (for the purposes of the Licensing Act 1964) are within designated sports grounds, to make provision for regulating the sale or supply of intoxicating liquor and for the closure of bars. [25th July 1985]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Commencement Information

II Act wholly in force at Royal Assent.

1 Offences in connection with alcohol on coaches and trains. **E+W**

- (1) This section applies to a vehicle which—
- is a public service vehicle or railway passenger vehicle, and
 - is being used for the principal purpose of carrying passengers for the whole or part of a journey to or from a designated sporting event.

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- (2) A person who knowingly causes or permits [^{F1}alcohol] to be carried on a vehicle to which this section applies is guilty of an offence—
 - (a) if the vehicle is a public service vehicle and he is the operator of the vehicle or the servant or agent of the operator, or
 - (b) if the vehicle is a hired vehicle and he is the person to whom it is hired or the servant or agent of that person.
- (3) A person who has [^{F1}alcohol] in his possession while on a vehicle to which this section applies is guilty of an offence.
- (4) A person who is drunk on a vehicle to which this section applies is guilty of an offence.
- (5) In this section “public service vehicle” and “operator” have the same meaning as in the ^{M1}Public Passenger Vehicles Act 1981.

Textual Amendments

F1 Words in s. 1(2)(3) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\), s. 201\(2\), Sch. 6 para. 97\(a\)](#) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2005/3056, art. 2\(2\)](#); [S.I. 2005/3056, art. 2\(2\)](#)

Marginal Citations

M1 [1981 c. 14.](#)

[^{F2}1A Alcohol on certain other vehicles. **E+W**

- (1) This section applies to a motor vehicle which—
 - (a) is not a public service vehicle but is adapted to carry more than 8 passengers, and
 - (b) is being used for the principal purpose of carrying two or more passengers for the whole or part of a journey to or from a designated sporting event.
- (2) A person who knowingly causes or permits [^{F3}alcohol] to be carried on a motor vehicle to which this section applies is guilty of an offence—
 - (a) if he is its driver, or
 - (b) if he is not its driver but is its keeper, the servant or agent of its keeper, a person to whom it is made available (by hire, loan or otherwise) by its keeper or the keeper’s servant or agent, or the servant or agent of a person to whom it is so made available.
- (3) A person who has [^{F3}alcohol] in his possession while on a motor vehicle to which this section applies is guilty of an offence.
- (4) A person who is drunk on a motor vehicle to which this section applies is guilty of an offence.
- (5) In this section— “keeper”, in relation to a vehicle, means the person having the duty to take out a licence for it under [^{F4}the Vehicle Excise and Registration Act 1994], “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads, and “public service vehicle” has the same meaning as in the Public Passenger Vehicles Act ^{M2} 1981.]

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Textual Amendments

- F2** S. 1A inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 2](#)
- F3** Words in s. 1A(2)(3) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 97\(b\)](#) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2005/3056](#), art. 2(2); [S.I. 2005/3056](#), art. 2(2)
- F4** Words in s. 1A(5) substituted (1.9.1994) by [1994 c. 22](#), [ss. 63, 66](#), [Sch. 3 para. 20](#) (with s. 57(4))

Marginal Citations

- M2** [1981 c.14 \(107:1\)](#).

2 Offences in connection with alcohol, containers etc. at sports grounds. **E+W**

- (1) A person who has [^{F5}alcohol] or an article to which this section applies in his possession—
- (a) at any time during the period of a designated sporting event when he is in any area of a designated sports ground from which the event may be directly viewed, or
 - (b) while entering or trying to enter a designated sports ground at any time during the period of a designated sporting event at that ground,
- is guilty of an offence.

[^{F6}(1A) Subsection (1)(a) above has effect subject to section 5A(1) of this Act.]

- (2) A person who is drunk in a designated sports ground at any time during the period of a designated sporting event at that ground or is drunk while entering or trying to enter such a ground at any time during the period of a designated sporting event at that ground is guilty of an offence.
- (3) This section applies to any article capable of causing injury to a person struck by it, being—
- (a) a bottle, can or other portable container (including such an article when crushed or broken) which—
 - (i) is for holding any drink, and
 - (ii) is of a kind which, when empty, is normally discarded or returned to, or left to be recovered by, the supplier, or
 - (b) part of an article falling within paragraph (a) above;
- but does not apply to anything that is for holding any medicinal product (within the meaning of the ^{M3}Medicines Act 1968) [^{F7}or any veterinary medicinal product (within the meaning of the Veterinary Medicines Regulations 2006)].

Textual Amendments

- F5** Word in s. 2(1) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 97\(c\)](#) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2005/3056](#), art. 2(2)
- F6** S. 2(1A) inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 5](#)
- F7** Words in s. 2(3) added (1.10.2006) by [The Veterinary Medicines Regulations 2006 \(S.I. 2006/2407\)](#), [reg. 1](#), [Sch. 9 para. 5](#) (with [regs. 2\(4\), 3](#))

Marginal Citations

- M3** [1968 c. 67](#).

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[^{F8}2A Fireworks etc. E+W

- (1) A person is guilty of an offence if he has an article or substance to which this section applies in his possession—
- (a) at any time during the period of a designated sporting event when he is in any area of a designated sports ground from which the event may be directly viewed, or
 - (b) while entering or trying to enter a designated sports ground at any time during the period of a designated sporting event at the ground.
- (2) It is a defence for the accused to prove that he had possession with lawful authority.
- (3) This section applies to any article or substance whose main purpose is the emission of a flare for purposes of illuminating or signalling (as opposed to igniting or heating) or the emission of smoke or a visible gas; and in particular it applies to distress flares, fog signals, and pellets and capsules intended to be used as fumigators or for testing pipes, but not to matches, cigarette lighters or heaters.
- (4) This section also applies to any article which is a firework.]

Textual Amendments

F8 S. 2A inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 3](#)

[^{F9}3 Licensing hours within sports grounds. E+W

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Textual Amendments

F9 S. 3 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 99\(a\)](#), [Sch. 7](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), art. 2(2) (with art. 4)

[^{F10}4 Supplementary provisions about orders under section 3. E+W

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Textual Amendments

F10 S. 4 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 99\(a\)](#), [Sch. 7](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), art. 2(2) (with art. 4)

[^{F11}5 Appeals. E+W

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Textual Amendments

F11 S. 5 repealed (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), [Sch. 6 para. 99\(b\)](#), [Sch. 7](#) (with ss. 2(3), 15(2), 195); [S.I. 2005/3056](#), art. 2(2) (with art. 4)

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[^{F12}5A Private facilities for viewing events. E+W

- (1) In relation to a room in a designated sports ground—
 - (a) from which designated sporting events may be directly viewed, and
 - (b) to which the general public are not admitted,sections 2(1)(a) and 3(1)(a) of this Act have effect with the substitution for the reference to the period of a designated sporting event of a reference to the restricted period defined below.
- (2) Subject to any order under subsection (3) below, the restricted period of a designated sporting event for the purposes of this section is the period beginning 15 minutes before the start of the event or (if earlier) 15 minutes before the time at which it is advertised to start and ending 15 minutes after the end of the event, but—
 - (a) where an event advertised to start at a particular time on a particular day is postponed to a later day, the restricted period includes the period in the day on which it is advertised to take place beginning 15 minutes before and ending 15 minutes after that time, and
 - (b) where an event advertised to start at a particular time on a particular day does not take place, the period is the period referred to in paragraph (a) above.
- (3) The Secretary of State may by order provide, in relation to all designated sporting events or in relation to such descriptions of event as are specified in the order—
 - (a) that the restricted period shall be such period, shorter than that mentioned in subsection (2) above, as may be specified in the order, or
 - (b) that there shall be no restricted period.
- (4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F12 Ss. 5A–5D inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), Sch. 1 para. 4

[^{F14}^{F13}5B]Occasional licences. E+W

Textual Amendments

F13 Ss. 5A–5D inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), Sch. 1 para. 4

F14 S. 5B repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 99(d), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

[^{F16}^{F15}5C]Clubs. E+W

Textual Amendments

F15 Ss. 5A–5D inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), Sch. 1 para. 4

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F16 S. 5C repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 99(e), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

F18 **F17** **5D** **Non-retail sales.** **E+W**

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Textual Amendments

F17 Ss. 5A–5D inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), **Sch. 1 para. 4**

F18 S. 5D repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 99(f), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

F19 **6** **Closure of bars.** **E+W**

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Textual Amendments

F19 S. 6 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 99(g), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

7 **Powers of enforcement.** **E+W**

- (1) A constable may, at any time during the period of a designated sporting event at any designated sports ground, enter any part of the ground for the purpose of enforcing the provisions of this Act.
- (2) A constable may search a person he has reasonable grounds to suspect is committing or has committed an offence under this Act ^{F20}....
- (3) A constable may stop a public service vehicle (within the meaning of section 1 of this Act) [^{F21}or a motor vehicle to which section 1A of this Act applies] and may search such a vehicle or a railway passenger vehicle if he has reasonable grounds to suspect that an offence under that section is being or has been committed in respect of the vehicle.

Textual Amendments

F20 Words in s. 7(2) repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), Sch. 7 para. 25, **Sch. 17 Pt. 2**; S.I. 2005/3495, art. 2(1)(m)(u)

F21 Words inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), **Sch. 1 para. 6**

8 **Penalties for offences.** **E+W**

- A person guilty of an offence under this Act shall be liable on summary conviction—
- (a) in the case of an offence under section 1(2) [^{F22}or 1A(2)], to a fine not exceeding level 4 on the standard scale,

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- (b) in the case of an offence under section 1(3) [^{F23}, 1A(3)], 2(1) [^{F24} or 2A(1)], to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months or both, . . . ^{F25}
- (c) in the case of an offence under section 1(4) [^{F26}, 1A(4)] or 2(2), to a fine not exceeding level 2 on the standard scale.
- ^{F27}(d)
- ^{F27}(e)

Textual Amendments

F22 Words inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), **Sch. 1 para. 7(2)**

F23 Words inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), **Sch. para. 7(3)**

F24 Words in s. 8(b) substituted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 100(a)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

F25 Word repealed by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(3), **Sch. 3**

F26 Word inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(1), **Sch. 1 para. 7(4)**

F27 S. 8(d)(e) repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 100(b), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

9 Interpretation. E+W

- (1) The following provisions shall have effect for the interpretation of this Act.
- (2) “Designated sports ground” means any place—
 - (a) used (wholly or partly) for sporting events where accommodation is provided for spectators, and
 - (b) for the time being designated, or of a class designated, by order made by the Secretary of State;and an order under this subsection may include provision for determining for the purposes of this Act the outer limit of any designated sports ground.
- (3) “Designated sporting event”—
 - (a) means a sporting event or proposed sporting event for the time being designated, or of a class designated, by order made by the Secretary of State, and
 - (b) includes a designated sporting event within the meaning of Part V of the ^{M4}Criminal Justice (Scotland) Act 1980;and an order under this subsection may apply to events or proposed events outside Great Britain as well as those in England and Wales.
- (4) The period of a designated sporting event is the period beginning two hours before the start of the event or (if earlier) two hours before the time at which it is advertised to start and ending one hour after the end of the event, but—
 - (a) where an event advertised to start at a particular time on a particular day is postponed to a later day, the period includes the period in the day on which it is advertised to take place beginning two hours before and ending one hour after that time, and
 - (b) where an event advertised to start at a particular time on a particular day does not take place, the period is the period referred to in paragraph (a) above.
- ^{F28}(5)

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- (6) This Act does not apply to any sporting event or proposed sporting event—
- (a) where all competitors are to take part otherwise than for reward, and
 - (b) to which all spectators are to be admitted free of charge.

[^{F29}(7) An expression used in this Act and in the Licensing Act 2003 has the same meaning in this Act as in that Act.]

- (8) Any power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F28 S. 9(5) repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 101(a), **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

F29 S. 9(7) substituted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 101(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

Marginal Citations

M4 1980 c. 62.

10 Amendment of Criminal Justice (Scotland) Act 1980. **E+W+S**

Part V of the ^{M5}Criminal Justice (Scotland) Act 1980 shall be amended as follows—

- (a) in section 68(1), after paragraph (b) there shall be inserted—
 - “(c) a sporting event, or a class of sporting event, taking place outside Great Britain.”;
- (b) in section 69, after the words “public service vehicle” there shall be inserted the words “or railway passenger vehicle” and after the word “passengers” there shall be inserted the words “for the whole or part of a journey”;
- (c) in section 77, at the end of the definition of “designated” there shall be added the words “and ‘designated sporting event’ includes a sporting event designated, or of a class designated, under section 9(3)(a) of the Sporting Events (Control of Alcohol etc.) Act 1985”; and
- (d) in section 77, after the definition of “public service vehicle” there shall be inserted the following definition—

““railway passenger vehicle” has the same meaning as in the Licensing (Scotland) Act 1976”.

Marginal Citations

M5 1980 c. 62.

11 Short title and extent. **E+W+S**

- (1) This Act may be cited as the Sporting Events (Control of Alcohol etc.) Act 1985.
- (2) Sections 1 to 9 of and the Schedule to this Act extend to England and Wales only.
- (3) This Act does not extend to Northern Ireland.

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F30 SCHEDULE E+W

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Textual Amendments

F30 Sch. repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 99(h), Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 2(1A) repealed by [2003 c. 17 Sch. 6 para. 98](#)[Sch. 7](#)
- s. 5A repealed by [2003 c. 17 Sch. 6 para. 99\(c\)](#)[Sch. 7](#)
- s. 8(b) words substituted by [2003 c. 44 Sch. 26 para. 36](#)