

EXPLANATORY MEMORANDUM TO
THE FOOTBALL SPECTATORS (2020 UEFA EUROPEAN CHAMPIONSHIP
CONTROL PERIOD) (CORONAVIRUS) (REVOCATION) ORDER 2020

2020 No. 432

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 This Instrument revokes the Football Spectators (2020 UEFA European Championship Control Period) Order (S.I. 2020/11), preventing the premature commencement of a control period under the Football Spectators Act 1989 for the postponed 2020 UEFA (Union of European Football Associations) European Championship. The control period would have commenced on 7th June 2020. The tournament will now take place in 2021.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial extent of this instrument is England and Wales.
4.2 The territorial application of this instrument is England and Wales.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

- 6.1 On 6th January 2020 the Football Spectators (2020 UEFA European Championship Control Period) Order (S.I. 2020/11) was made under section 14(6) of the Football Spectators Act 1989 (“the 1989 Act”) and came into force on 31st January 2020. That Order designates a control period in relation to the 2020 UEFA European Championship, starting on 7th June 2020, 5 days before the first football match of the tournament was due to take place. During a control period the powers contained in sections 19 (the imposition of requirements by an enforcing authority on those subject to banning orders to report to a police station and surrender their passport) and 21A

and 21B (summary powers to detain and refer to a court with a view to the making of a banning order) of the 1989 Act can be used.

- 6.2 The tournament has been postponed until 2021. Due to the postponement of the tournament the Order no longer complies with the requirements set out in Sections 14(6) and 22A(2) of the 1989 Act, which state that a control period must start no more than five or ten days before a tournament commences.

7. Policy background

What is being done and why?

- 7.1 This instrument is being made to revoke the Football Spectators (2020 UEFA European Championship Control Period) Order (S.I. 2020/11). The 2020 UEFA European Championship has been postponed until 2021.
- 7.2 At this time UEFA has not finalised the dates for the rearranged tournament or confirmed the title of the tournament. Consequently, it is necessary to revoke rather amend the Football Spectators (2020 UEFA European Championship Control Period) Order (S.I. 2020/11).
- 7.3 A further Order designating a control period for the rearranged tournament will be laid once the dates and title of the tournament are confirmed by UEFA. Once that Order is made the Football Banning Orders Authority will advise relevant individuals subject to a football banning order of the requirements upon them.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 This is not applicable.

10. Consultation outcome

- 10.1 No consultation has been undertaken.

11. Guidance

- 11.1 Once this instrument is made the Football Banning Orders Authority will notify all individuals subject to football banning orders that the control period commencing on 7 June 2020 will no longer take effect.

12. Impact

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
- 12.2 There is no, or no significant, impact on the public sector.
- 12.3 An Impact Assessment has not been prepared for this instrument because there is no impact on business.

13. Regulating small business

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

- 14.1 This is a one-off revocation so there is no requirement for ongoing monitoring and review.

15. Contact

- 15.1 Martin Gooday at the Home Office can be contacted with any queries regarding the instrument. Please email: martin.gooday@homeoffice.gov.uk or call 0207 035 1815.
- 15.2 Andy Johnson, Deputy Director for the Crime Strategy Unit, at the Home Office can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Kit Malthouse MP, Minister for Crime and Policing, at the Home Office can confirm that this Explanatory Memorandum meets the required standard.