



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

2006 asp 10

PART 2 **U.K.**

PUBLIC ORDER ETC.

CHAPTER 1 **U.K.**

FOOTBALL BANNING ORDERS

Miscellaneous and general

67 Service of documents **S**

- (1) A document required by this Chapter to be served on a person is served on the person if—
 - (a) given to the person; or
 - (b) sent to the person by registered post or a recorded delivery service.
- (2) A certificate of posting of a letter sent under subsection (1)(b) issued by the postal operator concerned is sufficient evidence of the sending of the letter on the day specified in the certificate.
- (3) In subsection (2), “postal operator” has the meaning given by [^{F1}section 27 of the Postal Services Act 2011 (c.5)].

Textual Amendments

- F1** Words in s. 67(3) substituted (1.10.2011) by [The Postal Services Act 2011 \(Consequential Modifications and Amendments\) Order 2011 \(S.I. 2011/2085\)](#), art. 1(2), [Sch. 1 para. 65](#)

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

68 Offences under this Chapter **U.K.**

- (1) A person who fails to comply with any requirement imposed on the person—
 - (a) by a football banning order;
 - (b) under section 61(1); or
 - (c) by a notice under section 61(4),
 commits an offence.
- (2) It is a defence for a person charged with an offence under subsection (1) to prove that the person had a reasonable excuse for failing to comply with the requirement.
- (3) A person who commits an offence under subsection (1)(a) or (c) is liable on summary conviction to—
 - (a) imprisonment for a term not exceeding 6 months;
 - (b) a fine not exceeding level 5 on the standard scale; or
 - (c) both such imprisonment and such a fine.
- (4) A person who commits an offence under subsection (1)(b) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) A person who, in connection with an application under section 64 to be exempted from a notice under section 61(4)—
 - (a) knowingly or recklessly makes a statement which is false or misleading in a material particular; or
 - (b) knowingly or recklessly produces, furnishes, signs or otherwise makes use of a document which is false or misleading in a material particular,
 commits an offence.
- (6) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Modifications etc. (not altering text)

C1 S. 68(1)(2)(5) extended to E. W. and N.I. (1.4.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 106(1)(a), 116(1); S.I. 2010/507, [art. 5\(o\)](#) (with [art. 6](#))

69 Interpretation of Chapter 1 **S**

- (1) In this Chapter—

“the football banning orders authority” means the chief constable of the [F²Police Service of Scotland]; and

“passport” means a United Kingdom passport within the meaning of the Immigration Act 1971 (c. 77).
- (2) The Scottish Ministers may by order modify the definition of “the football banning orders authority” in subsection (1).

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

Textual Amendments

- F2** Words in s. 69(1) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 33\(14\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Changes to legislation:

There are currently no known outstanding effects for the Police, Public Order and Criminal Justice (Scotland) Act 2006, Cross Heading: Miscellaneous and general.