

Status: Point in time view as at 24/11/2005.

Changes to legislation: Public Order Act 1986, Part I is up to date with all changes known to be in force on or before 03 June 2024. 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)

SCHEDULES

SCHEDULE 1

SPORTING EVENTS

PART I

ENGLAND AND WALES

Introduction

- 1 The ^{M1}Sporting Events (Control of Alcohol etc.) Act 1985 shall be amended as mentioned in this Part.

Marginal Citations

M1 1985 c. 57.

Vehicles

- 2 The following shall be inserted after section 1 (offences in connection with alcohol on coaches and trains)—

“1A Alcohol on certain other vehicles.

- (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 intoxicating liquor 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 intoxicating liquor 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.

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(5) In this section—

“keeper”, in relation to a vehicle, means the person having the duty to take out a licence for it under section 1(1) of the Vehicles (Excise) Act 1971,

“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 1981.”.

Fireworks etc.

3 The following shall be inserted after section 2 (offences in connection with alcohol, containers etc. at sports grounds)—

“2A Fireworks etc.

(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.”.

Licensing etc.

4 F1

Textual Amendments
F1 Sch. 1 para. 4 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 1 {4}, 201(2), {Sch. 7} (with ss. 2(3), 15(2), 195); S.I. 2005/3068, art. 2(2) (with art. 4)

Supplementary

5 F2

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Textual Amendments

F2 Sch. 1 para. 5 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 1 {4}, 201(2), {Sch. 7} (with ss. 2(3), 15(2), 195); S.I. 2005/3068, art. 2(2) (with art. 4)

6 In section 7(3) (power to stop and search vehicles), after “public service vehicle (within the meaning of section 1 of this Act)” insert “or a motor vehicle to which section 1A of this Act applies”.

7 (1) Section 8 (penalties) shall be amended as follows.

(2) In paragraph (a) after “1(2)” there shall be inserted “or 1A(2)”.

(3) In paragraph (b) after “1(3)” there shall be inserted “, 1A(3)”, after “2(1)” there shall be inserted “, 2A(1)” and after “3(10)” there shall be inserted “, 5B(2), 5C(3), 5D(2)”.

(4) In paragraph (c) after “1(4)” there shall be inserted “, 1A(4)”.

(5) ^{F3}

Textual Amendments

F3 Sch. 1 para. 7(5) repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 1 {4}, 201(2), {Sch. 7} (with ss. 2(3), 15(2), 195); S.I. 2005/3068, art. 2(2) (with art. 4)

Minor amendment

8 ^{F4}

Textual Amendments

F4 Sch. 1 para. 8 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 1 {4}, 201(2), {Sch. 7} (with ss. 2(3), 15(2), 195); S.I. 2005/3068, art. 2(2) (with art. 4)

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