Violent Crime Reduction Act 2006 (c. 38)
SCHEDULE 3 – Football banning orders and football-related consequential amendments
Document Generated: 2024-03-13

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S C H E D U L E S

SCHEDULE 3

FOOTBALL BANNING ORDERS AND FOOTBALL-RELATED CONSEQUENTIAL AMENDMENTS

PART 1

FOOTBALL BANNING ORDERS

Appeals against decisions not to make banning orders

3   (1) In section 14A (banning order made on conviction for an offence), after subsection (5) insert—

"(5A) The prosecution has a right of appeal against a failure by the court to make a banning order under this section—

(a)   where the failure is by a magistrates' court, to the Crown Court; and

(b)   where it is by the Crown Court, to the Court of Appeal.

(5B) An appeal under subsection (5A)(b) may be brought only if the Court of Appeal gives permission or the judge who decided not to make an order grants a certificate that his decision is fit for appeal.

(5C) An order made on appeal under this section (other than one directing that an application be re-heard by the court from which the appeal was brought) is to be treated for the purposes of this Part as if it were an order of the court from which the appeal was brought."

(2) In section 14D (appeals against banning orders made on complaint), after subsection (1) insert—

"(1A) An appeal lies to the Crown Court against the dismissal by a magistrates' court of an application for the making of a banning order under section 14B above."

(3) In subsection (2) of that section, for "the appeal" substitute " an appeal under this section ".

Commencement Information

I1   Sch. 3 para. 3 in force at 6.4.2007 by S.I. 2007/858, **art. 2(k)**

Status:
Point in time view as at 06/04/2007.

Changes to legislation:
There are currently no known outstanding effects for the Violent Crime Reduction Act 2006, Cross Heading: Appeals against decisions not to make banning orders.