



Sporting Events (Control of Alcohol etc.) Act 1985

1985 CHAPTER 57

1 Offences in connection with alcohol on coaches and trains.

- (1) This section applies to a vehicle which—
 - (a) is a public service vehicle or railway passenger vehicle, and
 - (b) 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.
- (2) A person who knowingly causes or permits intoxicating liquor 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 intoxicating liquor 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.

Marginal Citations

M1 1981 c. 14.

[^{F1}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

Status: Point in time view as at 01/02/1991.

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- (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.
- (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 ^{M2}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 ^{M3}1981.]

Textual Amendments

F1 S. 1A inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 2](#)

Marginal Citations

M2 [1971 c.10 \(107:2\)](#).

M3 [1981 c.14 \(107:1\)](#).

2 Offences in connection with alcohol, containers etc. at sports grounds.

- (1) A person who has intoxicating liquor 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.
- [^{F2}(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—

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- (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 ^{M4}Medicines Act 1968).

Textual Amendments

F2 S. 2(1A) inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\), s. 40\(1\), Sch. 1 para. 5](#)

Marginal Citations

M4 1968 c. 67.

[^{F3}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.]

Textual Amendments

F3 S. 2A inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\), s. 40\(1\), Sch. 1 para. 3](#)

3 Licensing hours within sports grounds.

- (1) Where licensed premises or registered club premises are situated within the area of a designated sports ground—
 - (a) the permitted hours in those premises for the purposes of Part III of the Licensing Act 1964 (hours during which intoxicating liquor may be sold or supplied in the premises or consumed in or taken from the premises) shall not, subject to the provisions of any order under this section in respect of the premises, include any part of the period of any designated sporting event at the designated sports ground, and
 - (b) section 63(2)(b) of that Act (intoxicating liquor ordered for consumption off the premises) shall not apply during any part of that period.

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[^{F4}(1A) Subsection (1)(a) above has effect subject to section 5A(1) of this Act.]

- (2) Where licensed premises or registered club premises are so situated, a magistrates' court may by an order under this section provide—
- (a) that the permitted hours in the premises or any part of them shall, during so much of the period of any designated sporting event at the designated sports ground as would (apart from this section) be included in the permitted hours, include such period as may be determined under the order, and
 - (b) that during the period so determined such conditions as may be specified in the order (including conditions modifying or excluding any existing conditions of the justices' licence or, as the case may be, the registration certificate) shall apply in respect of the sale or supply of intoxicating liquor in the premises; and the justices' licence or, as the case may be, registration certificate shall have effect accordingly.
- (3) An order under this section shall not apply to any part of the premises from which designated sporting events at the designated sports ground may be directly viewed.
- (4) It shall be a condition of any order under this section that there shall be in attendance at the designated sports ground throughout the period of any designated sporting event a person—
- (a) who is responsible for securing compliance with this section, being the holder of the justices' licence or a person designated by him or, in the case of registered club premises, a person designated by the club, and
 - (b) written notice of whose name and current address has been given to the chief officer of police.
- (5) A magistrates' court may—
- (a) vary an order under this section, either generally or in respect of a particular designated sporting event and, in the latter case, may in particular provide that the order shall not have effect in respect of that event, or
 - (b) revoke the order.
- (6) A magistrates' court shall not in respect of any sports ground make an order under this section in any terms, or vary the terms of such an order (otherwise than by providing for it not to have effect in respect of a particular event), unless satisfied that, having regard in particular to the arrangements made for the admission of spectators and for regulating their conduct, an order in the terms proposed is not likely to be detrimental to the orderly conduct or safety of spectators.
- (7) Where an order under this section is in force in respect of any sports ground and a police officer of rank not less than inspector is of the opinion—
- (a) that the sale or supply of intoxicating liquor in pursuance of the order during the period of a particular designated sporting event is likely to be detrimental to the orderly conduct or safety of spectators at that event, and
 - (b) that it is impracticable for an application to be made to a magistrates' court for the variation of the order in respect of that event,
- he may give written notice to the person whose name has been given to the chief officer of police in accordance with subsection (4) above.
- (8) A notice is to be treated as given to a person under subsection (7) above if it is left at—
- (a) the licensed premises or, as the case may be, the registered club premises, or

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- (b) the address notified under subsection (4)(b) above.
- (9) A notice under subsection (7) above may state that, with effect from the time when the notice is given, the order under this section shall, in respect of the sporting event concerned—
- (a) cease to have effect, or
 - (b) have effect subject to such modifications as may be specified in the order;
- and the order shall apply accordingly.
- (10) A person who sells or supplies or authorises the sale or supply of intoxicating liquor at any time that is excluded from the permitted hours by virtue of this section or in contravention of conditions imposed under this section is not guilty of an offence under section 59(1)(a) of the ^{M5}Licensing Act 1964 (prohibition of sale etc. outside permitted hours) but shall be guilty of an offence under this subsection if—
- (a) he is the holder of the justices' licence or, as the case may be, an officer of the club, or
 - (b) he knows or has reasonable cause to believe the sale or supply to be such a contravention.
- (11) A person is not guilty of an offence under section 59(1)(b) of that Act (prohibition of consumption etc. outside permitted hours) in respect of any time which by virtue of a notice under subsection (7) above is not part of the permitted hours unless he knows or has reasonable cause to believe that the time is not part of those hours.

Textual Amendments

F4 S. 3(1A) inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 5](#)

Modifications etc. (not altering text)

C1 S. 3(9)(b) amended (*retrospectively*) by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 8](#)

Marginal Citations

M5 1964 c. 26.

4 Supplementary provisions about orders under section 3.

- (1) Subject to the provisions of this section, an order under section 3 of this Act in respect of any premises shall (unless sooner revoked) cease to have effect—
- (a) on the coming into effect of a further order under that section in respect of those premises, or
 - (b) on the expiration of the period of five months beginning with the day on which it comes into effect,
- whichever is the sooner.
- (2) An order under that section in respect of licensed premises shall cease to have effect on the transfer of the justices' licence or on the premises ceasing to be licensed premises.
- (3) An order under that section in respect of registered club premises shall cease to have effect if the club ceases to be registered.

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- (4) Where an order under that section is in force in respect of any premises and application is made not less than twenty-eight days before the order is due to expire for renewal of the order or for a further order in respect of the premises, the first-mentioned order shall not cease to have effect by virtue of subsection (1)(b) above until the application is disposed of by the magistrates' court.
- (5) Applications for or relating to orders under that section shall be made to the magistrates' court acting for the petty sessions area in which the premises are situated.
- (6) There may be charged by justices' clerks—
 - (a) in respect of the making (including the renewal) of an order under that section, a fee of £12.50, and
 - (b) in respect of the variation of such an order where application for the variation is made by the holder of the justices' licence or, as the case may be, the club, a fee of £4,
 notwithstanding anything in section 137(1) of the ^{M6}Magistrates' Courts Act 1980 (Fees).
- (7) An order under section 29 of the ^{M7}Licensing Act 1964 (fees chargeable in licensing matters) may provide that subsection (6) above shall have effect as if, for either or both of the amounts mentioned in that subsection, there were substituted such other amount or amounts as may be specified in the order.
- (8) Section 197 of the Licensing Act 1964 (Service of notices) applies for the purposes of this Act as it applies for the purposes of that Act.
- (9) The Schedule to this Act shall have effect, but subject to any provision that may be made by rules of court.

Marginal Citations

M6 1980 c. 43.

M7 1964 c. 26.

5 Appeals.

- (1) Any party to the proceedings who is aggrieved by a decision of a magistrates' court on an application for or in respect of an order under section 3 of this Act, other than an application in respect of a particular designated sporting event or particular designated sporting events, may appeal to the Crown Court on such grounds as may be specified in his notice of appeal.
- (2) In the event of such an appeal, any other party to the proceedings shall be party to the appeal.
- (3) The judgment of the Crown Court on any such appeal shall be final.

[^{F5}5A Private facilities for viewing events.

- (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,

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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

F5 Ss. 5A–5D inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 4](#)

[^{F6}5B Occasional licences.

- (1) An occasional licence which is in force for any place situated in the area of a designated sports ground, and which would (apart from this section) authorise the sale of intoxicating liquor at the place during the whole or part of the period of a designated sporting event at the ground, shall not authorise such sale.
- (2) Where the sale of intoxicating liquor would (apart from this section) be authorised by an occasional licence, its holder is guilty of an offence if he sells or authorises the sale of such liquor and by virtue of this section the licence does not authorise the sale.
- (3) A person is guilty of an offence if he consumes intoxicating liquor at a place, or takes such liquor from a place, at a time when an occasional licence which would (apart from this section) authorise the sale of the liquor at the place does not do so by virtue of this section.]

Textual Amendments

F6 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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[^{F7}5C Clubs.

- (1) Subsections (3) and (5) of section 39 of the Licensing Act 1964 (clubs), and subsection (4) of that section as it applies to subsection (3), shall not apply as regards the supply of intoxicating liquor in the area of a designated sports ground during the period of a designated sporting event at the ground or as regards the keeping of intoxicating liquor for such supply; but subsections (2) to (5) below shall apply.
- (2) During the period of such an event at the ground, intoxicating liquor shall not be supplied by or on behalf of a registered club to a member or guest in the area of the ground except at premises in respect of which the club is registered.
- (3) A person supplying or authorising the supply of intoxicating liquor in contravention of subsection (2) above is guilty of an offence.
- (4) A person who, during the period of such an event, obtains or consumes intoxicating liquor supplied in contravention of subsection (2) above is guilty of an offence.
- (5) If intoxicating liquor is kept in any premises or place by or on behalf of a club for supply to members or their guests in contravention of subsection (2) above, every officer of the club is guilty of an offence unless he shows that it was so kept without his knowledge or consent.]

Textual Amendments

F7 Ss. 5A–5D inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 4](#)

[^{F8}5D Non-retail sales.

- (1) During the period of a designated sporting event at a designated sports ground, intoxicating liquor shall not be sold in the area of the ground except by sale by retail.
- (2) A person selling or authorising the sale of intoxicating liquor in contravention of subsection (1) above is guilty of an offence.
- (3) A person who, during the period of such an event, obtains or consumes intoxicating liquor sold in contravention of subsection (1) above is guilty of an offence.]

Textual Amendments

F8 Ss. 5A–5D inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 4](#)

6 Closure of bars.

- (1) If at any time during the period of a designated sporting event at any designated sports ground it appears to a constable in uniform that the sale or supply of intoxicating liquor at any bar within the ground is detrimental to the orderly conduct or safety of spectators at that event, he may require any person having control of the bar to close it and keep it closed until the end of that period.
- (2) A person who fails to comply with a requirement imposed under subsection (1) above is guilty of an offence, unless he shows that he took all reasonable steps to comply with it.

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7 Powers of enforcement.

- (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, and may arrest such a person.
- (3) A constable may stop a public service vehicle (within the meaning of section 1 of this Act) [^{F9}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

F9 Words inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 6](#)

8 Penalties for offences.

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) [^{F10}or 1A(2)], to a fine not exceeding level 4 on the standard scale,
- (b) in the case of an offence under section 1(3) [^{F11}, 1A(3)], 2(1) [^{F11}, 2A(1)], 3(10) [^{F11}, 5B(2), 5C(3), 5D(2)] or 6(2), to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months or both, . . . ^{F12}
- (c) in the case of an offence under section 1(4) [^{F13}, 1A(4)] or 2(2), to a fine not exceeding level 2 on the standard scale.
- [^{F14}(d) in the case of an offence under section 5B(3), 5C(4) or 5D(3), to a fine not exceeding level 3 on the standard scale, and
- (e) in the case of an offence under section 5C(5), to a fine not exceeding level 1 on the standard scale.]

Textual Amendments

F10 Words inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 7\(2\)](#)

F11 Words inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. para. 7\(3\)](#)

F12 Word repealed by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(3), [Sch. 3](#)

F13 Word inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 7\(4\)](#)

F14 [S. 8\(d\)\(e\)](#) inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(1), [Sch. 1 para. 7\(4\)](#)

9 Interpretation.

- (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;

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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 ^{M8}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.
- (5) “Registered club premises” means premises in respect of which a club is registered.
- (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.
- (7) Expressions used in this Act and in the ^{M9}Licensing Act 1964 have the same meaning as in that Act, and section 58(2) of that Act (meaning of chief officer of police) applies for the purposes of this Act as it applies for the purposes of Part II of 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.

Marginal Citations

- M8** 1980 c. 62.
M9 1964 c. 26.

10 Amendment of Criminal Justice (Scotland) Act 1980.

Part V of the ^{M10}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

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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

M10 1980 c. 62.

11 Short title and extent.

- (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.

Status:

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