



Football Spectators Act 1989

1989 CHAPTER 37

PART II

FOOTBALL MATCHES OUTSIDE ENGLAND AND WALES

Reporting

19 Functions of enforcing authority and local police

- (1) The enforcing authority and the officer responsible for the police station at which he reports initially shall have the following functions as respects any person subject to a restriction order.
- (2) On a person reporting initially at the police station, the officer responsible for the station may make such requirements of that person as are determined by the enforcing authority to be necessary or expedient for giving effect to restriction orders.
- (3) During the currency of a restriction order in force in relation to any person the enforcing authority shall perform the following functions on the occasion of any designated football match, that is to say—
 - (a) where the match is one for which reporting is obligatory for all persons subject to restriction orders, the authority shall, by notice in writing to that person, require him to report to a police station at the time or between the times specified in the notice;
 - (b) where the match is one for which reporting is obligatory for such persons only as are required to report under this paragraph, the authority shall, if that person is one as respects whom subsection (4) below is satisfied, by notice in writing to that person, require him to report to a police station at the time or between the times specified in the notice.
- (4) No requirement to report under subsection (3)(b) above shall be imposed by the enforcing authority on any person unless imposing it is, in their opinion, necessary or expedient in order to reduce the likelihood of violence or disorder at, or in connection with, the designated football match; and the authority may establish criteria for

Status: This is the original version (as it was originally enacted).

determining whether any person or class of persons ought to be required to report under that paragraph.

- (5) The enforcing authority, in exercising their functions under this section, shall have regard to any guidance issued by the Secretary of State under section 21 below.
- (6) A person who, without reasonable excuse, fails to comply with any requirement imposed on him under subsection (2) above shall be guilty of an offence.
- (7) A person guilty of an offence under subsection (6) above shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

20 Exemptions from requirement to report as respects a match

- (1) A person who is subject to a restriction order may—
 - (a) as respects a particular designated football match, or
 - (b) as respects designated football matches played during a period,apply to the authority empowered to grant exemptions under this section (“the exempting authority”) to be exempt from the duty to report as respects that match or matches played during that period.
- (2) The enforcing authority may grant exemptions under this section in all cases; but where the application is for an exemption as respects matches to be played within the period of five days beginning with the date of the application, or a particular match to be played within that period, the officer responsible for a police station may, subject to subsection (3) below, grant the exemption.
- (3) The officer responsible for a police station shall not grant an exemption without referring the question of exemption to the enforcing authority, unless he considers that it is not reasonably practicable to do so.
- (4) The exempting authority shall exempt the applicant from the duty to report if he shows to the authority’s satisfaction—
 - (a) that there are special circumstances which justify his being so exempted; and
 - (b) that, because of those circumstances, he would not attend the match or matches if he were so exempted.
- (5) The exempting authority shall, in taking any decision under subsection (4) above, have regard to any guidance issued by the Secretary of State under section 21 below.
- (6) Where an exemption is granted by the exempting authority to a person under subsection (4) above the duties of the authority under section 19(3) above and of that person to report shall be suspended as respects the match or matches to which the exemption applies.
- (7) A person who is aggrieved by the refusal of the exempting authority to grant him an exemption under subsection (4) above may, after giving the authority notice in writing of his intention to do so, appeal to a magistrates’ court acting for the petty sessions area in which he resides.
- (8) On any appeal under subsection (7) above the court may make such order as it thinks fit.
- (9) The court may order the appellant to pay all or any part of the costs of an appeal under subsection (7) above.

- (10) Any person commits an offence who, in connection with an application under this section to be exempted from a duty to report—
- (a) makes a statement which he knows to be false or misleading in a material particular or recklessly makes a statement which is false or misleading in a material particular, or
 - (b) produces, furnishes, signs or otherwise makes use of a document which he knows to be false or misleading in a material particular or recklessly produces, furnishes, signs or otherwise makes use of a document which is false or misleading in a material particular.
- (11) A person guilty of an offence under subsection (10) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

21 Functions of enforcing authority: supplementary provisions

- (1) The Secretary of State may issue to the enforcing authority such guidance as he considers appropriate for the purposes of the exercise of their functions under sections 19 and 20 above.
- (2) The Secretary of State shall make such arrangements as he considers appropriate for publishing the guidance issued from time to time under subsection (1) above.
- (3) The Secretary of State may make regulations regulating the giving by the enforcing authority to persons subject to restriction orders of notices under section 19 above imposing requirements to report to police stations; and it shall be the duty of the enforcing authority to comply with the regulations.
- (4) Regulations under subsection (3) above may exclude the operation of section 25 below.
- (5) The power to make regulations under subsection (3) above is exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Where any notice is given under section 19 above by the enforcing authority in accordance with regulations under subsection (3) above, the notice shall be taken to have been received by the person to whom it was addressed unless he proves that he did not receive the notice and did not know and had no reasonable cause to believe that he had been required to report to a police station.
- (7) Where any notice is given under section 19 above by the enforcing authority in accordance with section 25 below, subsection (6) above shall apply as it applies to such a notice given in accordance with regulations under subsection (3) above.
- (8) The Secretary of State may pay to the enforcing authority any expenses incurred by them in exercising their functions under sections 19 and 20 above.