

Status: Point in time view as at 01/01/2006.

Changes to legislation: Football Spectators Act 1989 is up to date with all changes known to be in force on or before 09 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

[^{F1}SCHEDULE 1

OFFENCES

Textual Amendments

F1 Sch. 1 substituted (28.8.2000) by 2000 c. 25, s. 1(1), Sch. 1 para. 5; S.I. 2000/2125, art. 2

The offences relevant for the purposes of sections 7(2) and 15(1) of this Act are the following—

- (a) any offence under section 2(1) or 5(7) of this Act;
- (b) any offence under section 2 of the ^{M1}Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol containers at sports grounds) committed by the accused at any designated football match or while entering or trying to enter the ground;
- (c) any offence under section 5 of the ^{M2}Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed during a period relevant to a designated football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- (d) any offence involving the use or threat of violence by the accused towards another person committed during a period relevant to a designated football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- (e) any offence involving the use or threat of violence towards property committed during a period relevant to a designated football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises;
- (f) any offence under section 12 of the ^{M3}Licensing Act 1872 (persons found drunk in public places, etc.) of being found drunk in a highway or other public place committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches.]]
- (g) any offence under section 91(1) of the ^{M4}Criminal Justice Act 1967 (disorderly behaviour while drunk in a public place) committed in a highway or other public place while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches].
- (h) any offence under section 1 of the Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol on coaches or trains to or from sporting events) committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches].
- (i) any offence under section 5 of the Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches].

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- (j) any offence under section 4 or 5 of the ^{M5}Road Traffic Act 1988 (driving etc. when under the influence of drink or drugs or with an alcohol concentration above the prescribed limit) committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches].
 - (k) any offence involving the use or threat of violence by the accused towards another person committed while one or each of them was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches.]
 - (l) any offence involving the use or threat of violence towards property committed while the accused was on a journey to or from a designated football match being an offence as respects which the court makes a [^{F2}declaration that the offence related to football matches].
 - [^{F3}(m) any offence under the Football (Offences) Act 1991.]
 - [^{F4}(n) any offence under section 5 of the Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred)—
 - (i) which does not fall within paragraph (c) or (i) above,
 - (ii) which was committed during a period relevant to a designated football match, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period;
 - (o) any offence involving the use or threat of violence by the accused towards another person—
 - (i) which does not fall within paragraph (d) or (k) above,
 - (ii) which was committed during a period relevant to a designated football match, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period;
 - (p) any offence involving the use or threat of violence towards property—
 - (i) which does not fall within paragraph (e) or (l) above,
 - (ii) which was committed during a period relevant to a designated football match, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period;
 - (q) any offence under section 166 of the Criminal Justice and Public Order Act 1994 (sale of tickets by unauthorised persons) which relates to tickets for a football match.
- Any reference to an offence in paragraphs (a) to (q) above includes—
- (a) a reference to any attempt, conspiracy or incitement to commit that offence; and
 - (b) a reference to aiding and abetting, counselling or procuring the commission of that offence.
- For the purposes of paragraphs (f) to (l) above—
- (a) a person may be regarded as having been on a journey to or from a designated football match whether or not he attended or intended to attend the match; and
 - (b) a person's journey includes breaks (including overnight breaks).]

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Textual Amendments

- F2** Words in [Sch. 1](#) paras. (f)-(l) substituted (27.9.1999) by [1999 c. 21, ss. 2\(1\), 12\(2\)](#) (with [s. 12\(3\)](#))
- F3** [Sch. 1](#) para. (m) inserted(10.8.1991) by [Football Offences Act 1991 \(c.19, SIF 39:2\), s. 5\(3\), S. I. 1991/1564, art. 2.](#)
- F4** [Sch. 1](#) paras. (n)-(q) inserted (27.9.1999) by [1999 c. 21, ss. 2\(2\), 12\(2\)](#) (with [s. 12\(3\)](#))

Marginal Citations

- M1** [1985 c. 57.](#)
- M2** [1986 c. 64.](#)
- M3** [1872 c. 94.](#)
- M4** [1967 c. 80.](#)
- M5** [1988 c. 52.](#)

Textual Amendments

- F2** Words in [Sch. 1](#) paras. (f)-(l) substituted (27.9.1999) by [1999 c. 21, ss. 2\(1\), 12\(2\)](#) (with [s. 12\(3\)](#))
- F3** [Sch. 1](#) para. (m) inserted(10.8.1991) by [Football Offences Act 1991 \(c.19, SIF 39:2\), s. 5\(3\), S. I. 1991/1564, art. 2.](#)
- F4** [Sch. 1](#) paras. (n)-(q) inserted (27.9.1999) by [1999 c. 21, ss. 2\(2\), 12\(2\)](#) (with [s. 12\(3\)](#))

Marginal Citations

- M1** [1985 c. 57.](#)
- M2** [1986 c. 64.](#)
- M3** [1872 c. 94.](#)
- M4** [1967 c. 80.](#)
- M5** [1988 c. 52.](#)

- F5¹** This Schedule applies to the following offences:
- (a) any offence under section 2(1), 5(7), 14J(1) or 21C(2) of this Act,
 - (b) any offence under section 2 or 2A of the ^{M6}Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol, containers and fireworks) committed by the accused at any football match to which this Schedule applies or while entering or trying to enter the ground,
 - (c) any offence under section 5 of the ^{M7}Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises,
 - (d) any offence involving the use or threat of violence by the accused towards another person committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises,
 - (e) any offence involving the use or threat of violence towards property committed during a period relevant to a football match to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises,
 - (f) any offence involving the use, carrying or possession of an offensive weapon or a firearm committed during a period relevant to a football match

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- to which this Schedule applies at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises,
- (g) any offence under section 12 of the ^{M8}Licensing Act 1872 (persons found drunk in public places, etc.) of being found drunk in a highway or other public place committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (h) any offence under section 91(1) of the ^{M9}Criminal Justice Act 1967 (disorderly behaviour while drunk in a public place) committed in a highway or other public place while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (j) any offence under section 1 of the ^{M10}Sporting Events (Control of Alcohol etc.) Act 1985 (alcohol on coaches or trains to or from sporting events) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (k) any offence under section 5 of the ^{M11}Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (l) any offence under section 4 or 5 of the ^{M12}Road Traffic Act 1988 (driving etc. when under the influence of drink or drugs or with an alcohol concentration above the prescribed limit) committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (m) any offence involving the use or threat of violence by the accused towards another person committed while one or each of them was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (n) any offence involving the use or threat of violence towards property committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (o) any offence involving the use, carrying or possession of an offensive weapon or a firearm committed while the accused was on a journey to or from a football match to which this Schedule applies being an offence as respects which the court makes a declaration that the offence related to football matches,
 - (p) any offence under the ^{M13}Football (Offences) Act 1991,
 - (q) any offence under section 5 of the ^{M14}Public Order Act 1986 (harassment, alarm or distress) or any provision of Part III of that Act (racial hatred)—
 - (i) which does not fall within paragraph (c) or (k) above,
 - (ii) which was committed during a period relevant to a football match to which this Schedule applies, and

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- (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period,
- (r) any offence involving the use or threat of violence by the accused towards another person—
 - (i) which does not fall within paragraph (d) or (m) above,
 - (ii) which was committed during a period relevant to a football match to which this Schedule applies, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period,
- (s) any offence involving the use or threat of violence towards property—
 - (i) which does not fall within paragraph (e) or (n) above,
 - (ii) which was committed during a period relevant to a football match to which this Schedule applies, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period,
- (t) any offence involving the use, carrying or possession of an offensive weapon or a firearm—
 - (i) which does not fall within paragraph (f) or (o) above,
 - (ii) which was committed during a period relevant to a football match to which this Schedule applies, and
 - (iii) as respects which the court makes a declaration that the offence related to that match or to that match and any other football match which took place during that period.
- (u) any offence under section 166 of the ^{M15}Criminal Justice and Public Order Act 1994 (sale of tickets by unauthorised persons) which relates to tickets for a football match.

Textual Amendments

F5 Sch. 1 substituted (28.8.2000) by 2000 c. 25, s. 1(1), Sch. 1 para. 5; S.I. 2000/2125, art. 2

Marginal Citations

M6 1985 c. 57.

M7 1986 c. 64.

M8 1872 c. 94.

M9 1967 c. 80.

M10 1985 c. 57.

M11 1986 c. 64.

M12 1988 c. 52.

M13 1991 c. 19.

M14 1986 c. 64.

M15 1994 c. 33.

^{F62} Any reference to an offence in paragraph 1 above includes—

- (a) a reference to any attempt, conspiracy or incitement to commit that offence, and

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- (b) a reference to aiding and abetting, counselling or procuring the commission of that offence.

Textual Amendments

F6 Sch. 1 substituted (28.8.2000) by 2000 c. 25, s. 1(1), Sch. 1 para. 5; S.I. 2000/2125, art. 2

- ^{F73} For the purposes of paragraphs 1(g) to (o) above—
- (a) a person may be regarded as having been on a journey to or from a football match to which this Schedule applies whether or not he attended or intended to attend the match, and
- (b) a person’s journey includes breaks (including overnight breaks).

Textual Amendments

F7 Sch. 1 substituted (28.8.2000) by 2000 c. 25, s. 1(1), Sch. 1 para. 5; S.I. 2000/2125, art. 2

- ^{F84} In this Schedule, “football match” means a match which is a regulated football match for the purposes of Part II of this Act.
- (2) Section 1(8) and (8A) above apply for the interpretation of references to periods relevant to football matches.

Textual Amendments

F8 Sch. 1 substituted (28.8.2000) by 2000 c. 25, s. 1(1), Sch. 1 para. 5; S.I. 2000/2125, art. 2

SCHEDULE 2

Section 8.

THE FOOTBALL LICENSING AUTHORITY: SUPPLEMENTARY PROVISIONS

Status and capacity

- 1 (1) The licensing authority shall be a body corporate.
- (2) The licensing authority shall not be regarded as the servant or agent of the Crown, or as enjoying any status, privilege or immunity of the Crown; and its property shall not be regarded as property of, or property held on behalf of, the Crown.
- (3) The licensing authority shall not be exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local.
- (4) The licensing authority shall have power to do anything which is calculated to facilitate the discharge of its functions, or is incidental or conducive to their discharge.

Appointment and tenure of members

- 2 It shall be the duty of the Secretary of State—

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- (a) to satisfy himself, before he appoints a person to be a member of the licensing authority, that he will have no such financial or other interest as is likely to affect prejudicially the performance of his functions as a member; and
- (b) to satisfy himself from time to time with respect to each member that he has no such interest.

3 Any person who is, or whom the Secretary of State proposes to appoint to be, a member of the licensing authority shall, whenever requested by the Secretary of State to do so, furnish to him such information as the Secretary of State considers necessary for the performance by him of his duties under paragraph 2 above.

4 Subject to the following provisions of this Schedule, a person shall hold and vacate office as a member or the chairman of the licensing authority in accordance with the terms of his appointment.

5 A person shall not be appointed as a member of the licensing authority for more than three years at a time.

6 A person may at any time resign his office as a member or the chairman of the licensing authority by giving the Secretary of State a signed notice in writing stating that he resigns that office.

7 Where a member becomes or ceases to be the chairman, the Secretary of State may vary the terms of his appointment as a member of the licensing authority so as to alter the date on which he is to vacate office as a member.

8 If the Secretary of State is satisfied that a member of the licensing authority—

- (a) has been absent from meetings of the licensing authority for a period longer than three consecutive months without the permission of the licensing authority, or
- (b) has become bankrupt or made an arrangement with his creditors, or
- (c) is unable or unfit to discharge the functions of a member,

the Secretary of State may declare his office as a member of the licensing authority vacant, and notify the declaration in such manner as he thinks fit; and thereupon the office shall become vacant.

9 A person who ceases to be a member, or ceases to be chairman, of the licensing authority shall be eligible for re-appointment.

Remuneration and pensions of members

10 The licensing authority may pay to each member such remuneration and allowances as the Secretary of State may determine.

11 The licensing authority may pay, or make provision for paying, to or in respect of any member such sums by way of pensions, allowances or gratuities as the Secretary of State may determine.

12 Where a person ceases to be a member otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the licensing authority may make to him a payment of such amount as the Secretary of State may determine.

13 The approval of the Treasury shall be required for any determination under paragraphs 10, 11 or 12 above.

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*Disqualification of members of licensing authority for
House of Commons and Northern Ireland Assembly*

- 14 In Part II of Schedule 1 to the ^{M16}House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), the following entry shall be inserted at the appropriate place in alphabetical order—

“The Football Licensing Authority”;

and the like insertion shall be made in Part II of Schedule 1 to the ^{M17}Northern Ireland Assembly Disqualification Act 1975.

Marginal Citations

M16 1975 c. 24.

M17 1975 c. 25.

Proceedings

- 15 The quorum of the licensing authority and the arrangements relating to its meetings shall be such as the licensing authority may determine.
- 16 (1) A member of the licensing authority who is in any way directly or indirectly interested in any matter which falls to be considered by the authority shall disclose the nature of his interest at a meeting of the licensing authority and the disclosure shall be recorded in the minutes of the meeting.
- (2) The member shall not take part after the disclosure in any deliberation or decision with respect to the matter.
- 17 The validity of any proceedings of the licensing authority shall not be affected by any vacancy among the members or by any defect in the appointment of a member or by any failure to comply with the requirements of paragraph 16 above.

Inspectors, officers and employees

- 18 The licensing authority may appoint such inspectors as it may determine to perform such functions as are assigned to them by or under this Part of this Act.
- 19 The licensing authority may appoint a secretary and such other officers, and take into their employment such other persons, as it may determine.
- 20 The terms and conditions of appointments under paragraphs 18 and 19 above shall require the approval of the Secretary of State and the consent of the Treasury.
- 21 The licensing authority shall, as regards such of its inspectors, officers and employees as with the approval of the Secretary of State and the consent of the Treasury it may determine, pay to or in respect of them such pensions, allowances or gratuities (including pensions, allowances or gratuities by way of compensation for loss of employment), or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- 22 If an inspector, officer or employee of the licensing authority—
- (a) is a participant in any pension scheme applicable to that employment, and
 - (b) becomes a member of the licensing authority,

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he may, if the Secretary of State with the consent of the Treasury so determines, be treated for the purposes of the pension scheme as if his service as a member of the licensing authority were service as an employee of the licensing authority, whether or not any benefits are to be payable to or in respect of him by virtue of paragraph 10 or 11 above.

Accounts and audit

- 23 The licensing authority shall keep proper accounts and proper records in relation to the accounts, and shall prepare for each accounting year a statement of accounts in such form as the Secretary of State, with the approval of the Treasury, may direct.
- 24 The accounts of the licensing authority [^{F9}in respect of accounting years ending on or before 31st March 2002] shall be audited by auditors appointed for each [^{F10}such] accounting year by the Secretary of State.

Textual Amendments

- F9** Words in Sch. 2 para. 24 inserted (23.5.2003) by The Government Resources and Accounts Act 2000 (Audit of Public Bodies) Order 2003 (S.I. 2003/1326), arts. 1, 17(2)(a)
- F10** Word in Sch. 2 para. 24 inserted (23.5.2003) by The Government Resources and Accounts Act 2000 (Audit of Public Bodies) Order 2003 (S.I. 2003/1326), arts. 1, 17(2)(b)

- 25 A person shall not be qualified for appointment for the purposes of paragraph 24 above unless he is—
- (a) a member of a body of accountants established in the United Kingdom and recognised for the purposes of section 389(1)(a) of the ^{M18}Companies Act 1985; or
 - (b) a member of the Chartered Institute of Public Finance and Accountancy; but a firm may be appointed if each of its members is qualified to be so appointed.

Marginal Citations

- M18** 1985 c. 6.

- 26 A copy of any accounts of the licensing authority which are audited under paragraph 24 above and of the report made on those accounts by the auditors shall be sent by the licensing authority to the Secretary of State as soon as reasonably practicable after it receives them; and the Secretary of State shall lay before Parliament a copy of any accounts or report received by him under this paragraph.
- [^{F11}26A. The licensing authority shall send a copy of the statement of accounts prepared under paragraph 23 in respect of each accounting year ending on or after 31st March 2003 to the Comptroller and Auditor General as soon as reasonably practicable after the end of the accounting year to which the statement of accounts relates.

Textual Amendments

- F11** Sch. 2 paras. 26A, 26B inserted (23.5.2003) by The Government Resources and Accounts Act 2000 (Audit of Public Bodies) Order 2003 (S.I. 2003/1326), arts. 1, 17(3)

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- 26B. The Comptroller and Auditor General shall examine, certify and report on each statement of accounts sent to him by the licensing authority under paragraph 26A and shall lay before Parliament a copy of the statement and his report on it.]

Textual Amendments

- F11** Sch. 2 paras. 26A, 26B inserted (23.5.2003) by [The Government Resources and Accounts Act 2000 \(Audit of Public Bodies\) Order 2003 \(S.I. 2003/1326\)](#), arts. 1, **17(3)**

- 27 The Comptroller and Auditor General may inspect any records relating to the accounts.

- 28 In paragraphs 23 and 24 above, “accounting year” means the period beginning with the day when the licensing authority is established and ending with the following 31st March, or any later period of twelve months ending with the 31st March.

Authentication of licensing authority’s seal

- 29 The application of the seal of the licensing authority shall be authenticated by the signature of the chairman of the authority or some other person authorised by the authority to act for that purpose and that of one other member.

Presumption of authenticity of documents issued by licensing authority

- 30 Any document purporting to be an instrument issued by the licensing authority and to be sealed in accordance with paragraph 29 above, or to be signed on behalf of the authority, shall be received in evidence and shall be deemed to be such an instrument without further proof unless the contrary is shown.

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