



Football Spectators Act 1989

1989 CHAPTER 37

PART I

FOOTBALL MATCHES IN ENGLAND AND WALES

National Membership Scheme

5 National membership scheme: contents and penalties

- (1) The requirements for a national football membership scheme referred to in section 4(1) and (5) above are those specified in subsection (2) below.
- (2) The scheme must include provision—
 - (a) securing that the only spectators permitted to attend at designated football matches are authorised spectators;
 - (b) providing for temporary membership of the scheme, including (in particular) the temporary membership of football club guests;
 - (c) providing for the admission as spectators at designated football matches, without their being members of the scheme, of—
 - (i) disabled persons, and
 - (ii) accompanied children,in such circumstances and subject to such conditions as are specified in the scheme;
 - (d) securing that persons who are disqualified under section 7 below are excluded from membership while so disqualified;
 - (e) providing for the exclusion from membership, for an appropriate period not exceeding two years determined under the scheme, of persons who are, by reference to circumstances specified in the scheme, determined under the scheme to be unfit for membership and for notifying persons who are excluded from membership of the grounds for the exclusion;
 - (f) imposing pecuniary penalties on any persons having functions under the scheme for failure to discharge those functions;

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- (g) imposing requirements as respects the procedure to be followed in dealing with applications for membership of the scheme and requiring that in Wales any application form for membership of the scheme shall also be available in Welsh;
- (h) imposing requirements on responsible persons as respects the procedure to be followed and equipment to be used in relation to any designated football match to secure that, except in an emergency, the only spectators admitted to and permitted to remain on the premises are authorised spectators;
- (i) to such effect, in relation to the admission of spectators to the premises, as the Secretary of State may specify in writing;
- (j) establishing and maintaining a central register of members of the scheme;
- (k) regulating the form and contents of membership cards; and
- (l) establishing procedures for the making and consideration of representations against decisions made under the scheme refusing or withdrawing membership of it and for the independent review of the decisions in the light of the representations;

and in this subsection “accompanied children” means persons under the age of 10 years in the charge of an authorised spectator.

- (3) The scheme may make provision—
 - (a) for the discharge of functions under the scheme by persons specified in the scheme on such terms as may be agreed with the Football Membership Authority and approved by the Secretary of State;
 - (b) for the imposition of charges under the scheme (including different charges for different cases) in connection with the issue of membership cards to persons becoming members of the scheme; and
 - (c) providing for the admission as spectators at designated football matches, without their being members of the scheme, of descriptions of person specified in the scheme in such circumstances and subject to such conditions as are so specified.
- (4) The scheme may make different provision for different circumstances.
- (5) Information obtained from persons under the national football membership scheme shall be treated as not obtained under an enactment for the purposes of paragraph 1(2) of Part II of Schedule 1 to the Data Protection Act 1984 (which treats information obtained under enactments as fairly obtained).
- (6) Nothing in section 28(1) and (2) of the Data Protection Act 1984 (which exempt personal data relating to crime from the subject access provisions in certain cases) shall apply to personal data held by the Football Membership Authority for the purposes of the national football membership scheme.
- (7) Any person commits an offence who, for the purpose of being admitted to membership of the national football membership scheme—
 - (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.

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- (8) A person guilty of an offence under subsection (7) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.