
STATUTORY INSTRUMENTS

1992 No. 708

SPORTS GROUNDS AND SPORTING EVENTS

The Football Spectators (Corresponding
Offences in Sweden) Order 1992

<i>Made</i>	- - - -	<i>12th March 1992</i>
<i>Laid before Parliament</i>		<i>13th March 1992</i>
<i>Coming into force</i>	- -	<i>18th May 1992</i>

At the Court at Buckingham Palace, the 12th day of March 1992

Present,

The Queen's Most Excellent Majesty in Council

Whereas it appears to Her Majesty that the offences under the law of Sweden described in Schedule 1 to this Order correspond to offences specified in Schedule 1 to the Football Spectators Act 1989(1); Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 22(1) of the Football Spectators Act 1989(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Football Spectators (Corresponding Offences in Sweden) Order 1992 and shall come into force on 18th May 1992.

(2) In this Order “the 1989 Act” means the Football Spectators Act 1989.

2.—(1) The offences under the law in Sweden which are described in Schedule 1 to this Order are hereby specified as offences corresponding to the offences specified in Schedule 1 to the 1989 Act.

(2) In Schedule 1 to this Order—

(a) the expression “period relevant to” shall be construed in accordance with section 1(8) of the 1989 Act;

(b) “specified football match” means any association football match played in Sweden involving a team which represents—

(i) a country or territory, or

(1) 1989 c. 37; Schedule 1 was amended by section 5(3) of the Football Offences Act 1991 (c. 19).

(2) The power in section 22(1) is supplemented by section 22(9) of that Act.

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(ii) a club from England or Wales which is, at the time the match is played, a member (whether a full or associate member) of the Football League.

3. The Ministry for Foreign Affairs is hereby specified as the authority in Sweden which is to certify the conviction of a person there of an offence specified in Schedule 1 to this Order, the nature and circumstances of the offence and whether or not the conviction is the subject of proceedings there questioning it.

4. The form of the certificate certifying the matters referred to in article 3 above is hereby specified in Schedule 2 to this Order.

5. In Schedules 1 and 2 to this Order, references to “Sections” and “Chapters” are references to Sections and Chapters of the Swedish Penal Code.

G. I. de Deney
Clerk of the Privy Council

SCHEDULE 1

Article 2

OFFENCES UNDER THE LAW OF SWEDEN CORRESPONDING TO OFFENCES IN SCHEDULE 1 TO THE 1989 ACT

1. Any offence involving the use or threat of violence by the accused towards another person committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

2. Any offence involving the use of violence towards property committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

3. Any offence under Chapter 4, Section 7 committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

4. Any offence under Chapter 16, Section 3 committed during a period relevant to a specified football match at any premises by the accused intruding on the playing area, or any area adjacent to it, at the premises.

5. Any offence under Chapter 16, Section 8 involving an allusion to race, skin colour, or national or ethnic origin committed during a period relevant to a specified football match at any premises while the accused was at, or was entering or leaving or trying to enter or leave, the premises.

6. Any offence involving the use or threat of violence by the accused towards another person committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

7. Any offence involving the use of violence towards property committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

8. Any offence under Chapter 4, Section 7 committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

9. Any offence under Chapter 16, Section 8 involving an allusion to race, skin colour, or national or ethnic origin committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

10. Any offence of driving a motor vehicle when under the influence of drink or drugs, or with an alcohol concentration above a prescribed limit, committed while the accused was on a journey to or from a specified football match, being an offence which related to football matches.

SCHEDULE 2

Article 4

FORM OF CERTIFICATE TO BE GIVEN BY THE SWEDISH MINISTRY FOR FOREIGN AFFAIRS TO CERTIFY THE CONVICTION OF A PERSON IN SWEDEN OF AN OFFENCE SPECIFIED IN SCHEDULE 1 TO THE FOOTBALL SPECTATORS (CORRESPONDING OFFENCES IN SWEDEN) ORDER 1992

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I [insert name], a [insert name of office held] in the Swedish Ministry for Foreign Affairs, hereby certify as follows:

(a) [insert name and, if known, address and date of birth of convicted person] was on [insert date of conviction] convicted by [insert name of court] of the offence of [insert name of offence, with reference to the relevant provision of the Swedish Penal Code] and sentenced to [insert name of punishment imposed];

(b) the offence was committed-

*Delete
whichever
is
inappropriate

* (i) at [state time when offence was committed], which is a time relevant to the football match at [insert name of place where match was held], being a match which was between [insert names of teams], because

- *[the match started at], or
- *[the match was advertised to start at], or
- *spectators were first admitted to the ground at], or
- *[the match ended at], or
- *[although the match was postponed, it was advertised to start at], or
- *[although the match did not take place, it was advertised to start at]

at [insert name or description of premises where offence was committed and whether the accused was at, or was entering or leaving or trying to enter or leave, those premises] in the following circumstances [state circumstances in which offence was committed]; or

* (ii) while the accused was on a journey *[to] *[from] the football match at [insert name of place where match was held] on [insert date], being a match which was between [insert names of teams], the offence was one that related to football matches and was committed in the following circumstances [state circumstances in which the offence was committed];

[The following paragraph should be deleted unless the accused was convicted of an offence under Chapter 16, Section 8]

(c) the offence involved an allusion to race, skin colour, or national or ethnic origin;

[The following paragraph should be deleted unless the accused was convicted of an offence under Chapter 16, Section 3]

(d) the offence was committed by the accused intruding on the playing area, or any area adjacent to it;

(e) the conviction-

- * (i) is not the subject of proceedings in a court of law in Sweden questioning it; or
- * (ii) has been the subject of proceedings in a court of law in Sweden questioning it and the final result of those proceedings is as follows [insert result];

(f) the information given above is, to the best of my knowledge and belief, true.

Signed
Date

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of, and Schedule 1 to, this Order specify offences under the law of Sweden which appear to Her Majesty to correspond to certain of the offences specified in Schedule 1 to the Football Spectators Act 1989. Under section 22 of that Act proceedings may be commenced before magistrates against a person who resides or is believed to reside in an area in England or Wales if that person has been convicted of such an offence. Under such proceedings a restriction order may be made against such a person. Under section 19 of that Act the person to whom such an order applies may be required to report to a police station in England or Wales on the occasion of a football match played in any country outside England and Wales of a description for the time being designated by order under section 14(2) of that Act.

Article 3 specifies the Ministry for Foreign Affairs as the authority in Sweden by which a certificate may be made certifying a person's conviction for one of the offences specified in Schedule 1 to this Order. Article 4 prescribes the form of the certificate. Under section 22(10) of the Football Spectators Act 1989 such a certificate is admissible in proceedings under Part II of that Act (which concerns restriction orders) as evidence of the facts therein stated. Under section 22(11) such facts are to be taken as proved (on production of the certificate and proof that the person against whom the proceedings are brought is the person whose conviction is certified) unless the contrary is proved.