

2022 No. 1168

**SPORTS GROUNDS AND SPORTING EVENTS,
ENGLAND AND WALES**

The Football Spectators (Relevant Offences) Regulations 2022

Made - - - - *9th November 2022*
Coming into force - - *10th November 2022*

The Secretary of State, in exercise of the powers conferred by sections 14(9) and 22A(3A) of the Football Spectators Act 1989(a), makes the following Regulations.

In accordance with section 14(11) of that Act, a draft of this instrument has been laid before Parliament, and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Football Spectators (Relevant Offences) Regulations 2022, and come into force on the day after the day on which they are made.

(2) These Regulations extend to England and Wales.

Addition of a relevant offence to Schedule 1 to the Football Spectators Act 1989

2. In paragraph 1 of Schedule 1 to the Football Spectators Act 1989 (football banning orders: relevant offences)(b), after sub-paragraph (y), insert—

“(z) any offence under section 4(3) or 5 of the Misuse of Drugs Act 1971 (supply or possession etc. of controlled substances)(c) committed by the accused in relation to a Class A drug, as defined in section 2(1)(b) of that Act, at any football match to which this Schedule applies or while entering or trying to enter the ground.”

(a) 1989 c. 37 (“1989 Act”); subsections (9) to (11) of section 14 were inserted by section 191(1) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) and section 22A(3A) was inserted by section 191(4) of that Act.
(b) “Relevant offence” is defined in section 14(1) of the 1989 Act. Paragraphs 1(v) to (y) of Schedule 1 to the Football Spectators Act 1989 were inserted by sections 190(1), (2), and (6) of the Police, Crime, Sentencing and Courts Act 2022. Other amendments have been made to Schedule 1 which are not relevant to these Regulations.
(c) Section 4(3) of the Misuse of Drugs Act 1971 (c. 38) makes it an offence for a person to supply or offer to supply a controlled drug to another person, or to be concerned in that supply or offer. Section 5(2) makes it an offence for a person to have a controlled drug in their possession. Section 5(2A) was inserted by section 151 and paragraphs 1 and 6 of Schedule 17 to the Police Reform and Social Responsibility Act 2011 and provides that section 5(2) does not apply to a “temporary class drug” under Section 2A. Section 5(3) makes it an offence for a person to have a controlled drug in their possession with the intent to supply it in contravention of section 4(1). Section 2(1) provides that controlled drugs are listed in Schedule 2 to that Act, “Class A” drugs being listed in Part I of Schedule 2.

Transitional provision

3. An offence is not a relevant offence by virtue of regulation 2 if it was committed before the commencement of these Regulations.

9th November 2022

Chris Philp
Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 1 to the Football Spectators Act 1989 (c. 37) to add the offences of supply and possession of Class A drugs to the list of relevant offences that may prompt a court to issue a banning order. A banning order, made under section 14A of that Act, prevents the person who is subject to the order from entering premises in England and Wales for the purpose of attending a regulated football match, as prescribed in article 3 of the Football Spectators (Prescription) Order 2022 (S.I. 2022/617).

These Regulations do not apply to an offence committed before the day the Regulations come into force.

A full impact assessment has not been produced for this instrument, as no, or no significant, impact on the private, voluntary, or public sector is foreseen.

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