EXPLANATORY MEMORANDUM TO

THE FOOTBALL SPECTATORS (2014 WORLD CUP CONTROL PERIOD) (AMENDMENT) ORDER 2014

2014 No. 220

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 This Order corrects an error in the Football Spectators (2014 World Cup Control Period) Order 2014. In particular, it corrects the reference to the end date for the FIFA (Fédération Internationale de Football Association) World Cup in Brazil.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 The Department considers it appropriate on this occasion to breach the usual convention that requires a period of at least 21 days between the laying and coming into force of an instrument. This is because this instrument amends an Order which sets out the "control period" within the meaning of the Football Spectators Act 1989. That Order has been laid but is not yet in force. In the Department's view, it would be confusing for the control period to be amended within a few days of the Order coming into force. In the interests of clarity, it is considered more appropriate for this amending instrument to come into force on the same day as that Order.

4. Legislative Context

4.1 This Order amends the Football Spectators (2014 World Cup Control Period) Order 2014 to correct an erroneous reference to 13th June 2014 as being the date of the last match in the 2014 FIFA (Fédération Internationale de Football Association) World Cup finals tournament in Brazil, when in fact the correct date is 13th July 2014.

4.2 During a control period the powers contained in sections 19 (requirements for those subject to banning orders to report to a police station and surrender their passport) and 21A and 21B (summary powers to detain and refer to a court with a view to the making of a banning order) of the 1989 Act can be used.

4.3 The control period for the 2014 FIFA World Cup should commence ten days before the start of the finals tournament, and finish on the date of the last match, being 13th July 2014.

4.4 The effect of this Order is that the period from 2nd June 2014 to 13th July 2014 is a control period under the Football Spectators Act 1989 ("the Act") for the 2014 FIFA (Fédération Internationale de Football Association) World Cup in Brazil.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- ***What is being done and why***

7.1 This Order is to correct an error in the the end date of the control period for the FIFA 2014 World Cup finals tournament. Further details can be found in the Explanatory Memorandum to the Football Spectators (2014 World Cup Control Period) Order 2014.

- ***Consolidation***

7.2 There are no current plans to consolidate the relevant legislation.

8. Consultation outcome

8.1 There is an expectation that a control period will be in place as part of the security arrangements for the 2014 World Cup finals tournament, as there were for previous World Cup finals in 2002, 2006 and 2010, and European Championship finals in 2004, 2008 and 2012.

9. Guidance

9.1 When this instrument is made the Football Banning Orders Authority will notify all individuals subject to football banning orders of the duration of the control period. Notifications will advise subjects of their dates for reporting and passport surrender obligations under section 19 of the Football Spectators Act 1989, and of the procedure for applying for an exemption from the passport surrender or reporting requirements.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies

10.2 The impact on the public sector is to enable effective enforcement of the enforcing authority's reporting requirements. UK and host security arrangements for the 2014 FIFA World Cup finals tournament will be assisted

by effective enforcement of passport surrender and reporting requirements for persons subject to football banning orders.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The objective of the control period is to prevent individuals subject to a football banning order from contributing to violence or disorder in connection with the 2014 FIFA World Cup finals tournament.

12.2 Home Office unit the UK Football Policing Unit, which includes the Football Banning Orders Authority (FBOA), will liaise with local police to monitor reporting compliance and assist with enforcement action in respect of non-compliance. Police ports' operations during the control period will ensure persons subject to a banning order, and persons appropriate for the commencement of immediate banning order proceedings under section 21 of the 1989 Act, do not travel overseas unless they have an FBOA issued exemption, which their travel is in compliance with. The Home Office will report to partner agencies within six months of the end of the control period.

13. Contact

Martin Gooday at the Home Office Tel: 0207 035 1815 or email: martin.gooday@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.