EXPLANATORY MEMORANDUM TO

THE FOOTBALL SPECTATORS (2026 FIFA WORLD CUP CONTROL PERIOD) ORDER 2026

2026 No. 60

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Sarah Jones, Minister for Policing and Crime, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Lizzy Gummer, SCS1 in the Police Powers Unit, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Martin Gooday at the Home Office can be contacted by email at the following address with any queries regarding the instrument: fdpteam@homeoffice.gov.uk. Alternatively, the department can be contacted by telephone: 0300 072 5495.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument establishes a control period for the 2026 Fédération Internationale de Football Association (FIFA)World Cup in the United States of America, Mexico and Canada.

4.2 During the control period the enforcing authority for football banning orders, the Football Banning Orders Authority ("FBOA"), which is part of the United Kingdom Football Policing Unit ("UKFPU"), can request persons subject to such orders to surrender their passport to local police. Police have additional powers during a control period to commence immediate banning order proceedings against persons who pose a risk of involvement in football-related violence and disorder.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdictions which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 The 2026 FIFA World Cup is a major international football tournament, for which the England men's national team has qualified. The Wales men's national team will compete in a playoff stage in March 2026 to determine if they qualify for the

tournament. The tournament will be held in the United States of America, Mexico and Canada in June and July 2026.

5.2 Football banning orders prevent subjects from attending regulated football matches in the United Kingdom and selected overseas matches and tournaments where the enforcing authority, the FBOA, has notified the subject. As of 1 June 2025 (the last published official statistics) 2,439 football banning orders were in force. [1]

5.3 Individuals subject to football banning orders or who police assess as posing a risk may attempt to travel to host nations with a view to engaging in disorder or other criminality. This instrument therefore establishes a control period, as defined by s14(6) of the Football Spectators Act 1989 ("the 1989 Act"), for this tournament that will effectively prevent persons subject to a football banning order and other supporters who might pose a risk from travelling to the United States of America, Mexico, or Canada, and contributing to violence or disorder.

5.4 The control period will start ten days before the tournament's first match (1 June 2026), as provided for by section 22A (2) of the 1989 Act, and end when the last football match included in the tournament is finished or cancelled (due to be 19 July 2026)."). Starting the control period ten days before the tournament will enable police to inform the FBOA of compliance with reporting requirements and allow co-ordinated enforcement action to take place.

5.5 During the control period, section 19 of the 1989 Act empowers the FBOA to issue a notice to an individual subject to a banning order to report to their designated police station and surrender their passport as specified by their notice. Individuals subject to football banning orders can apply to the FBOA for an exemption from their requirements under section 20 of the 1989 Act.

5.6 Shortly after this instrument comes into effect, the FBOA will issue reporting instructions to relevant individuals. Local police will take enforcement action against any banned individual who fails to comply with these instructions. Details of banned individuals to whom the FBOA have issued section 19 notices will be shared with police undertaking ports policing operations during the control period, to ensure such individuals cannot travel to the tournament. Failure to comply with reporting instructions is a criminal offence.

5.7 Police have additional powers during a control period to commence immediate banning order proceedings against persons who pose a risk of involvement in football-related violence and disorder. Summary police powers under sections 21A and 21B of the 1989 Act enable police to detain an individual from travelling when there are reasonable grounds to suspect that that person has caused or contributed to any violence or disorder, until a decision has been made as to whether to issue a notice under section 21B. Section 21B empowers the police to issue a notice to an individual requiring them to attend a magistrates' court at a time, or between times, not to leave England and Wales before that time and to surrender their passport. The notice will require the individual to appear before a magistrates' court within 24 hours, and the court will then treat the notice as an application for a banning order. Failure to comply with the above is a criminal offence.

5.8 In addition, bail conditions can be imposed on individuals requiring them to surrender their passports during a control period under section 14A (banning orders made on

[1] www.gov.uk/government/statistics/football-related-arrests-banning-orders-202425-football-season-update

conviction of an offence) and section 14B (banning orders made on complaint) of the 1989 Act.

What was the previous policy, how is this different?

5.9 Establishing a tournament control period is consistent with the approach taken for previous tournaments. Statutory instruments have defined the control periods for previous UEFA European Championship and FIFA World Cup tournaments since 2002. The orders for the 2012, 2016 and 2024 European Championships, and the 2006, 2010, 2014, 2018 and 2022 World Cups, exercised the power in section 22A(2) of the 1989 Act to commence control periods ten days before the first match, to facilitate effective enforcement of the control periods.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument prescribes the control period under the 1989 Act for the 2026 FIFA World Cup. The Order comes into effect on 21 February 2026, enabling the FBOA to notify individuals subject to passport surrender requirements in good time before the tournament commences. The control period begins on 1 June 2026, which is ten days before the first match of the tournament and ends when the last football match included in the tournament is finished or cancelled (due to be 19 July 2026), subject to rescheduling or postponement. The Order ceases to have effect once the tournament has ended.

Why was this approach taken to change the law?

6.2 This is the only possible approach to establish a tournament-long control period.

7. Consultation

Summary of consultation outcome and methodology

7.1 There is both a need and an expectation that an effective control period will be established as part of the security arrangements for the 2026 FIFA World Cup tournament, as has been the case for previous World Cup and European Championship tournaments. Therefore, the Government does not deem it necessary to consult on this control period.

8. Applicable Guidance

8.1 Guidance is not required because the police and FBOA are already familiar with the powers that are available to them during control periods. The UKFPU provides briefings for those officers responsible for collating the passports from individuals subject to football banning orders. Each force is also asked by the UKFPU to plan for a proactive response to deal with those who fail to hand in their passports

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because this Order enables the statutory enforcing authority to operate in the most effective way for a short, defined period and no significant financial impact is anticipated.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because it relates to the powers of the relevant statutory enforcing authority and policing.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because the additional powers during the control period are within the enforcing authority and policing's business as usual operations.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is for the UKFPU to work closely with local police during the tournament. Following the completion of the tournament UKFPU will review the effectiveness of passport surrender, matchday reporting, exemption applications and football banning order proceedings initiated during the control period.

10.2 The instrument does not include a statutory review clause because it will cease to have effect when the last football match included in the tournament is finished or cancelled (due to be 19 July 2026, subject to rescheduling or postponement).

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

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

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").