EXPLANATORY MEMORANDUM TO

THE SPORTS GROUNDS AND SPORTING EVENTS (DESIGNATION) (AMENDMENT) ORDER 2013

2013 No. 1710

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 amends the Sports Grounds and Sporting Events (Designation) Order 2005 for the purposes of designating sporting events to which the Sporting Events (Control of Alcohol etc) Act 1985 applies.

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

3.1 None

4. Legislative Context

4.1 The Sporting Events (Control of Alcohol etc.) Act 1985 prevents drunken entry into a football ground, the consumption of alcohol within view of the playing area, the consumption of alcohol on certain coaches, trains and motor vehicles travelling to a designated football match and the possession of fireworks or flares at regulated matches.

4.2 This Order amends the definition of a regulated association football match to include matches played in the United Kingdom involving one or more member clubs of the Scottish Professional Football League. This competition was formed following a merger of the Scottish Premier League and Scottish Football League to form one body. These competitions' member clubs' matches were covered by the existing definition of a regulated match.

4.3 The Order also clarifies that a regulated association football match played within England or Wales, involving one or more club whose home ground is outside of England or Wales, is a regulated football match.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

6.1 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 The instrument amends the definition of a regulated football match in the United Kingdom to reflect the merger of the Scottish Premier League and Scottish Football League into the Scottish Professional Football League.

7.2 Berwick Rangers Football Club is an English club that will compete in the Scottish Professional Football League. This amendment order continues the Act's coverage of their matches, and every match played in England or Wales involving one or more clubs from the top four Scottish divisions.

7.3 The instrument also clarifies that an association football match played in England and Wales, involving one or more clubs whose home ground is outside England and Wales, is a regulated football match. Examples of such matches are Champions League and Europa League Finals played in England or Wales, and matches involving clubs from outside England and Wales playing friendly and other exhibition matches in England or Wales.

- Consolidation

7.4 Since the amendments are relatively minor it is not considered appropriate to consolidate the relevant orders on this occasion.

8. Consultation outcome

8.1 This Order is being made to reflect changes to the structure of senior Scottish Football, which was decided at a meeting of the organisations on 28 June 2013.

9. Guidance

9.1 Notification and guidance will be issued to stakeholders and enforcement agencies to explain the amendments.

10. Impact

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

10.2 There is no on the public sector.

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

11. Regulating small business

11.1 The legislation applies to small business.

11.2 To minimise the impact of the requirements on small firms employing up to 20 people, the approach taken is continuity of the existing designation.

11.3 The basis for the final decision on what action to take to assist small business is the public interest in minimising risks to public order.

12. Monitoring & review

12.1 Appropriate legislative coverage of association football matches is kept under review by the Home Office and UK Football Policing Unit. If the nature or level of public order risk changes, the legislation will be amended accordingly.

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.