



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
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LEGISLATION

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CONTROL OF VIOLENCE IN SPORTS GROUNDS (AMENDMENT) ORDINANCE 2014

An Ordinance to amend the Control of Violence in Sports Grounds Ordinance 2009

J. S. WRIGHT
DEPUTY ADMINISTRATOR

6th January 2014.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. Short title and commencement

This Ordinance may be cited as the Control of Violence in Sports Grounds (Amendment) Ordinance 2014 and comes into force on 10 January 2014.

2. Amendments to the Control of Violence in Sports Grounds Ordinance 2009

The Control of Violence in Sports Grounds Ordinance 2009(a) is amended in accordance with sections 3 to 10.

3. Amendment to section 2 (interpretation)

(1) Section 2(1) is amended as follows—

(a) omit the definition of “Chief Constable”;

(b) insert in the appropriate alphabetical places—

““club safety and security officer” means a natural person appointed in accordance with section 4A;”;

““event co-ordination meeting” means a meeting convened under section 18(1) or (2);”;

““international event” means an event where 1 or more of the sports clubs participating in the event is based outside the island of Cyprus;”;

““relevant sports governing body” means the sports governing body which is responsible for regulating a sport played by a sports club;”;

““steward” means a steward who is on the register kept under the corresponding Republican law**(b)**;”;

(c) for the definition of “corresponding Republican law” substitute—

““corresponding Republican law” means Law Number 48(I)/2008**(c)** (Prevention and Suppression of Violence in Sports Grounds Law 2008) and includes—

- (a) amendments to that law, whether made before or after the coming into force of this Ordinance;
- (b) any law substituting that law;
- (c) public instruments of the Republic made under that law or any law substituting the law, whether made before or after the coming into force of this Ordinance;”;

(d) for the definition of “manager of the sports ground” substitute—

““manager of the sports ground” means the person who owns the sports ground and where the person is body of persons corporate or unincorporated, that body:”.

(2) After section 2(4) add—

“(5) In this Ordinance, except in sections 18(5), 36, 37 and 47, a reference to the Chief Constable is to be construed as including a reference to the police officer in command of policing an event.

(6) Subsection (5) does not limit the power of the Chief Constable to delegate functions under section 5(1) of the Exercise of Functions Ordinance 2012**(d)**.”.

4. Substitution of section 3 (application)

Section 3 is substituted as follows—

“3. Application of Part 2 to designated sports grounds

- (1) Subject to subsections (2) and (3), Part 2 applies only to a designated sports ground or an event taking place at a designated sports ground.
- (2) Section 4A applies only to a sports club playing in the first division of a sports league or in an international event (in both cases where the event is regulated by a sports governing body).
- (3) Sections 9, 10, 19, 22, 25 and 29 apply to any sports grounds or an event taking place in any sports ground, as the case may be.”.

5. Amendment to section 4 (security officer and stewards)

Section 4 is amended as follows—

(a) for subsection (2) substitute—

“(2) The manager of a sports ground must ensure that the number of stewards which are required for the safe conduct of an event and determined in accordance with regulations are present during the event.”.

(b) omit subsection (3).

6. Insertion of sections 4A and 4B

The following sections are inserted after section 4—

“4A. Club safety and security officer

- (1) A sports club (“club”) must appoint a club safety and security officer.
- (2) Where a club owns a designated sports ground, the club may appoint the security officer appointed under section 4(1) as the club safety and security officer.

- (3) The club safety and security officer must—
 - (a) have 4 years’ or more experience in the administration and security management of events; and
 - (b) attend the training for club safety and security officers prescribed in the corresponding Republican law(e).
- (4) The club must notify the following persons of the name of the person appointed under subsection (1)—
 - (a) the relevant sports governing body;
 - (b) the security officer of the sports ground at which the club is based;
 - (c) any other person prescribed in regulations.
- (5) If the appointment of the club safety and security officer is terminated for any reason, the club must appoint another person as soon as reasonably practicable, and notify the persons specified in subsection (4) of the name of the person appointed.

4B. Functions of club safety and security officer

The functions of a club safety and security officer are —

- (a) to co-operate with the security officer of the sports ground at which the club is based, and, when the club is participating in an event at another sports ground, with the security officer of that sports ground;
- (b) to provide relevant information about future events to the security officer of the sports ground at which the club is based;
- (c) to participate in meetings convened under section 18;
- (d) to co-operate with the Chief Constable to enable the Chief Constable to exercise functions under this Ordinance;
- (e) to liaise with representatives of the supporters of the club for which the person is club safety and security officer; and
- (f) to exercise any functions which may be prescribed in regulations.”.

7. Substitution of section 18

Section 18 is substituted as follows—

“18. Event co-ordination meeting

- (1) Where the relevant sports governing body convenes a meeting (“event co-ordination meeting”) under the corresponding Republican law(f) for the purpose of co-ordinating and planning for the safe conduct of an event at a sports ground, the Chief Constable is to chair the meeting.
- (2) The Chief Constable may convene an event co-ordination meeting where—
 - (a) a meeting is not convened under subsection (1); or
 - (b) the Chief Constable considers that a second or subsequent meeting is necessary to ensure the safe conduct of the event.
- (3) The Chief Constable may specify that a person considered necessary for the co-ordination of the safe conduct of the event attends an event co-ordination meeting.
- (4) Without limiting the power in subsection (3), the Chief Constable may specify the following persons—
 - (a) a representative of the relevant sports governing body;

- (b) the manager of the sports ground at which the event is taking place;
- (c) the security officer of the sports ground at which the event is taking place;
- (d) the club safety and security officers of the sports clubs participating in the event.
- (5) If a person specified by the Chief Constable under subsection (3) does not attend an event co-ordination meeting, the Chief Constable may do either or both of the following—
 - (a) advise the manager of the sports ground at which the event is taking place that the police service will not provide police officers to be present at the event;
 - (b) make an order prohibiting the holding of the event if the Chief Constable considers that the event cannot be conducted safely.
- (6) Section 47(2) and (3) apply to an order made under subsection (5)(b).”.

8. Amendment to section 47 (order prohibiting attendance)

Section 47 is amended as follows—

- (a) in the heading after “attendance” add “or event”;
- (b) in subsection (2)(a) after “subsection (1)” insert “or section 18(4)(b)”;
- (c) in subsection (3) after “subsection (1)” insert “or section 18(4)(b),”.

9. Substitution of section 53

Section 53 is substituted as follows—

“53. Offences by bodies corporate and unincorporated

- (1) Where an offence under this Ordinance committed by a body corporate, is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of a director, secretary or similar officer of the body corporate, that officer (as well as the body corporate) is guilty of an offence and is liable to be proceeded against and, if convicted, punished accordingly.
- (2) Proceedings for an offence under this Ordinance alleged to have been committed by an unincorporated body are to be brought in the name of that body, and for the purpose of any such proceedings, any legislation or rules of court relating to the service of documents have effect as if that body were a corporation.
- (3) A fine imposed on an unincorporated body on its conviction for an offence under this Ordinance is to be paid out of the funds of that body.
- (4) Where an unincorporated body is charged with an offence under this Ordinance, section 72 of the Criminal Procedure Ordinance^(g) has effect in like manner as in the case of a corporation so charged.
- (5) Where an offence under this Ordinance committed by an unincorporated body is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of an officer of the unincorporated body or any member of its governing body, that person (as well as the unincorporated body) is guilty of an offence and is liable to be proceeded against and, if convicted, punished accordingly.”.

10. Amendment to section 55 (regulations)

Section 55 is amended by renumbering the existing section as subsection (1) and adding after the renumbered subsection the following—

- “(2) Without limiting the power in subsection (1), regulations made under this section may—
- (a) specify the powers, duties and qualifications of stewards;
 - (b) specify the number of stewards to be present at an event;
 - (c) provide for powers, including any supplementary and ancillary powers, for the Chief Constable to determine that a person is not recognised as a steward;
 - (d) create criminal offences and prescribe penalties not exceeding €3,000.”.

Notes

- (a) Ordinance 10/09, amended by Ordinance 5/12.
- (b) P.I. 536/12 (Republic of Cyprus) Gazette No. 4615 of 28 December 2012 establishes a register of stewards.
- (c) Republic of Cyprus Gazette No. 4171 of 11 July 2008.
- (d) Ordinance 12/12.
- (e) P.I. 536/12 (Republic of Cyprus) Gazette No. 4615 of 28 December 2012 prescribes training for club safety and security officers.
- (f) Law No. 213(I)/2012 inserts section 46A into Law No. 48(I)/2008 providing that the home federation is to call a meeting at least 3 days before an event.
- (g) Cap 155 Statute Laws of Cyprus revised edition 1959 as applied to Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Interpretation Ordinance 2012 (Ordinance 8/12). The Ordinance has been amended, but not section 72.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

Introduction

1. This explanatory note relates to the Control of Violence in Sports Grounds (Amendment) Ordinance 2014 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not (and is not meant to be) a comprehensive description of the Ordinance. So, when a section or part of a section does not seem to require any explanation or comment, none is given.

Particular points

3. The Ordinance amends the Control of Violence in Sports Grounds Ordinance 2009 (the “principal Ordinance”) to reflect amendments made to the corresponding Republican law (Law No. 48(I)/2012) made by Law No. 213(I)/2012.
4. Section 3 amends some of the interpretation provisions in section 2 of the principal Ordinance. In particular, it inserts a new definition of steward as a person on the register established under the corresponding Republican law, and substitutes the definition of “manager of [a] sports grounds”, so as to provide that the person (including a body corporate or unincorporated) which owns the ground is responsible for discharging the functions of the manager. The definition of Chief Constable is also substituted to make clear on the face of the Ordinance that the majority of functions imposed upon the Chief Constable may be discharged by the police officer in command of the policing of a sporting event.
5. Section 4 substitutes section 3 in the principal Ordinance, specifying that Part 2 of the principal Ordinance (with certain exceptions) applies only to designated sports grounds.
6. Section 5 amends section 4 of the principal Ordinance. A substituted subsection (2) provides that the manager of a sports ground must ensure that there are a sufficient number of stewards present at an event. (Provisions relating to the appointment of stewards are made in the Control of Violence in Sports Grounds (Stewards) Regulations 2014, which come into force on the same date as the Ordinance.)
7. Section 6 inserts new sections 4A and 4B in the principal Ordinance. New section 4A requires a club playing in the first division of a sports league or in an international event to appoint a club safety and security officer. The person appointed must have at least 4 years’ experience in the administration and security management of events and undergo training in accordance with the corresponding Republican law. New section 4B sets out the functions of the club safety and security officer.
8. Section 7 substitutes section 18 in the principal Ordinance. This reflects, as far as possible, new provisions in the corresponding Republican law which require sports governing bodies to convene an event co-ordination meeting before an event to plan for its safe conduct. New section 18 also provides for a power for the Chief Constable to convene a meeting if the sports governing body does not convene one, or if the Chief Constable considers that a second or subsequent meeting is necessary. The Chief Constable may specify that persons necessary for the co-ordination of the safe conduct of the event attend the meeting. This includes the club safety and security officers appointed under new section 4A. If the persons specified do not attend the meeting, the Chief Constable may advise that the SBA police service will not police the event, or the Chief Constable may make an order prohibiting the event if the Chief Constable considers it cannot be conducted safely.
9. Section 9 substitutes section 53 of the principal Ordinance. It provides that a prosecution may be brought against an unincorporated body (a body corporate has separate legal personality so special provision is not required for such a body to be prosecuted). It also makes provision for the prosecution of officers of bodies corporate and unincorporated. The amendments to section 55 of the principal Ordinance made by section 10 of the Ordinance amend the regulation-making power.

SBA/AG/2/CR/518.