

TRAVEL OF AN ORGANIZED GROUP OF FANS AND THEIR TRANSPORTATION

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1. INTRODUCTION

Mass media often provide information about negative events taking place during travel of organised groups of mainly football fans.¹ It tends to be erroneously indicated that the conduct of those people results from the fact that the law does not regulate their travel and they are not subject to any criminal or civil law sanctions.

Travel and transportation of fans, including those to specified mass events, are first of all regulated by the provisions of the Transportation law,² the Civil Code³ and partly also by the provisions enacted by sports associations.⁴ The standards concerning the travel of an organised group of participants of a mass event (who are not football fans), after the last amendment to the Act on the security at mass events,⁵ were also

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¹ See, e.g. M. Sadecki, *Dlaczego kibic jedzie na mecz za darmo, a uczeń do szkoły musi już płacić?*, *Gazeta Wyborcza*, 29 October 2012; M. Pietraszewski, *Policja chce, by kibicom sprawdzano bilet na przejazd*, *Gazeta Wyborcza*, 6 June 2013; Kos ab, *Zadyma Widzewiaków z policją w Katowicach*, www.dzienniklodzki.pl, 21 October 2012.

² Act of 15 November 1984: Transportation law, *Journal of Laws [Dz.U.]* No. 53, item 272, as amended; hereinafter: Transportation law or TL.

³ Act of 23 April 1964: Civil Code, *Journal of Laws [Dz.U.]* No. 16, item 93, as amended; hereinafter: Civil Code.

⁴ Resolution of the Polish Football Association Board of 10 July 2007, No. X/110, concerning adoption of Rules and Regulations for security during competitions organised by the Polish Football Association and Ekstraklasa S.A., Version 2007; Resolution of the Polish Football Association Board of 20 February 2013, No. II/85, concerning rules of participation of fans of the visitors' team in football matches during competitions at the central level organised by the Polish Football Association and Ekstraklasa S.A., available at: www.pzpn.pl.

⁵ Act amending the Act on the security at mass events and some other acts, *Journal of Laws [Dz.U.]* of 2015, item 1707.

included in the Misdemeanour Code.⁶ The possibility of organising transportation of fans often depends on meeting standards laid down in the Act on road transport⁷ or the Act on rail transport⁸. Moreover, obligations connected with such travel very often result from a contract, usually concluded by associations of fans, which thanks to respective provisions of the Law on associations,⁹ have legal personhood. The use of adequate means of transport by fans may be also connected with an obligation to comply with respective internal regulations of a given carrier.¹⁰ Some norms related to these issues (however, they determine obligations connected with fans' travel but not directly its course) are laid down in the Act on the security at mass events.¹¹

Therefore, it is not true that travel and transportation of participants of a given mass event are informal in nature. Fans' conduct and incidents connected with that are subject to applicable norms. Travel and transportation are very often connected with the use of public transport, which is subject to some obligations, and failure to comply with them may result in criminal or civil liability. It must be emphasised, however, that specific obligations are not only applicable to fans but also to a carrier.

2. THE CONCEPT OF ORGANISED TRAVEL OF FANS

The presentation of the issue of travel of an organised group of fans requires that the term "organised group of fans" be explained. The term is used, e.g. in internal acts of particular sports associations¹² and the Police¹³. However, it is not defined in any of them. A similar term, "organised travel of participants of a mass event", is used in MC, but its definition is left for the doctrine and case law. That is why, the linguistic meaning of the terms "organised group" and "fan" should be presented at the very beginning.

The term "organised", in accordance with the dictionary definition, means arranged, put in some form, subject to some rules, introducing some order.¹⁴ One of the meanings of the term "group" indicates that it is a team of people fulfilling

⁶ Act of 20 May 1971: Misdemeanour Code, Journal of Laws [Dz.U.] of 2015, item 1094, as amended – uniform text; hereinafter: MC.

⁷ Act of 6 September 2001 on road transport, Journal of Laws [Dz.U.] of 2001, No. 125, item 1371.

⁸ Act of 28 March 2003 on rail transport, Journal of Laws [Dz.U.] of 2003, No. 86, item 789.

⁹ Act of 7 April 1989: Law on associations, Journal of Laws [Dz.U.] of 2001, No. 79, item 855 – uniform text.

¹⁰ See, e.g. Rules and Regulations for carriage of people, things and animals by PKP Intercity SA of 21 June 2013, available at: www.intercity.pl.

¹¹ Act of 20 March 2009 on the security at mass events, Journal of Laws [Dz.U.] of 2013, item 611 – uniform text; hereinafter: ASME.

¹² See, legal acts referred to under footnote 4.

¹³ Regulation No. 982 of the Chief Commander of the Police of 21 September 2007 concerning the rules of organisation and the mode of implementing tasks connected with surveillance, prevention and combating crimes and misdemeanours committed in connection with sports events and on the retaining and processing of information concerning security of mass sports events, Dz.Urz. KGP of 2007, No. 17, item 129; hereinafter: Regulation 982.

¹⁴ S. Skorupka, H. Auderska, Z. Łempicka (ed.), *Mały słownik języka polskiego*, Warsaw 1969, p. 1018.

a particular task.¹⁵ A “fan” means, in accordance with the dictionary definition, a spectator watching sports competitions etc., often a supporter or adviser of one of the teams.¹⁶ The compilation of these linguistic meanings of the terms indicates that an “organised group of fans” is a team of persons watching a given sports performance which is characterised by some forms of organisation. Such a definition, however, does not match the practical needs and still requires specification. However, the problem is, as it has been mentioned above, that various legal acts use the terms without their definitions, which very rarely but also happens in the doctrine.

The Supreme Court presented a definition of an organised group in one of its resolutions.¹⁷ The case concerned the issue of the defamation of a group of people. The Supreme Court indicated that a group of people means a team of people gathered together, even temporarily, because of a common aim, interest, features or another separated tie. According to the Supreme Court, a group understood in this way can be formed by, e.g. family members, residents of the same house, employees, people involved in the same business and participants of a trip. In my opinion, in order to supplement this stand, it should be added that the term “organised” should be also understood as a certain process of subordinating to some rules with respect to objective and subjective aspects. The subjective aspect means organisation of a certain group of people and establishing its internal norms and rules. The objective aspect of organisation applies to determination of some forms of action and conduct. Summing up, in my opinion, the necessary element of organisation, as the Supreme Court indicated in its resolution, is the forming of a group that has a set aim, which can be, e.g. a trip to a mass event together.

In order to limit the scope of the above-presented definition, it would be also necessary to refer to a definition of a fan. In my opinion, he does not have to be a participant of a mass event. The concept of a fan is defined neither in ASME nor in any other legal act. The definition of the term is laid down in the Regulation 982. In §1(2.2) of that act, it is indicated that “fans” should be interpreted as all spectators at sports events or moving to take part in those events.

In the doctrine, there are some proposals of defining the term “fan”. *Mala encyklopedia sportu* indicates that a fan is: “a spectator watching sports competitions, a visitor to stadiums and sports facilities, a supporter of a club, a team or an athlete. A fan is a bearer of a specific type of conduct called supporting, which differs from conduct approved of in non-sports situations and introducing new forms of implementing sports feelings and emotions.”¹⁸ P. Pałaszewski, who also indicated this definition, was right to draw attention to the fact that a football fan or, in other words, a fan, an enthusiast, an adherent of football, is a participant of sports life. He devotes a lot of attention to matches played by his favourite team. He adjusts his free time to the schedule of his team’s matches in order to watch them. P. Pałaszewski

¹⁵ *Ibid.*, p. 212.

¹⁶ *Ibid.*, p. 270.

¹⁷ Resolution of the Supreme Court of 7 April 2006, III CZP 22/06, OSNC 2007, No. 2, item 23.

¹⁸ Z. Głuszek et al., *Mala encyklopedia sportu*, A-K, Wydawnictwo “Sport i Turystyka”, Warsaw 1984, p. 268.

rightly points out that a fan is interested in the atmosphere of a meeting, the pitch and events taking place on it; a pseudo-fan is interested in events outside the pitch. Fans compete encouraging their teams as loud as possible and inventing effective framework of the event; pseudo-fans fistfight. The term "fan", as D. Antonowicz, R. Kossakowski and T. Szlendak rightly state, is continually modified and fans can be classified, e.g. as the so-called "fans of the arena" and fanatic fans.¹⁹

Based on the above-presented definitions, it should be highlighted that the term "fan" does not always mean a participant of a mass event.²⁰ Fans also include people who support their team, take part in matches or other events and devote their free time to them. A fan may, but does not have to be a participant of a mass event. For example, he may be banned from participating in mass events (and thus should not participate in them), but he may support his team in another way, e.g. taking part in other forms of fans' activity, for instance in his club promotional campaigns organised by the supporters' association.

Having in mind the above-presented definitions, we must indicate that organised travel of fans means such movement of fans (not necessarily participants of mass events) which should be interpreted as a certain process of subjective as well as objective subordination. Undoubtedly, a trip by train or coach is such travel, while it seems that a trip by one's own means of transport is not (it is not organised travel) because there are no common norms or rules to follow (in social, not legal, terms) which would regulate such movement, unless e.g. it is an organised column of vehicles,²¹ where the requirement is the participants' submission to single leadership.²² In case fans form a temporary column of vehicles, the movement cannot be treated as organised travel of fans.²³ In such a situation, it cannot be recognised as transportation of fans, either, which differs from travel, because, as a rule, a carrier performs it. Every case of transportation of fans is also their travel, but not every type of travel (whether organised or individual) is transportation (when fans move with the use of their own means of transport).

¹⁹ D. Antonowicz, R. Kossakowski and T. Szlendak, *Aborygenci i konsumenci. O kibicowskiej wspólnocie, komercjalizacji futbolu i stadionowym apartheidzie*, Warsaw 2015, p. 128.

²⁰ The term has not been defined in normative acts, either. For more on doubts and controversies concerning this term, see M. Dróżdź, *Ustawa o bezpieczeństwie imprez masowych. Komentarz*, Warsaw 2015, pp. 31–32.

²¹ An organised column is a group of vehicles under the leadership of one driver, a person responsible for traffic and order in a column. It should be remembered, however, that a random group of vehicles driving one after another does not constitute a column. R.A. Stefański, *Prawo o ruchu drogowym. Komentarz*, Warsaw 2008, p. 312.

²² *Ibid.*

²³ R.A. Stefański is right to indicate that a group of vehicles with fans is not a privileged column because coaches and cars used by fans are not privileged vehicles. See, R.A. Stefański, *Prawo o ruchu...*, p. 424. J. Szyposz, *Pojazdy uprzywilejowane*, Policyjne Centrum Informacyjne, 12 January 2006.

3. TRANSPORT OF AN ORGANISED GROUP OF FANS – TYPES OF TRAVEL

The above-presented analysis of the term “organised travel of fans” indicates that in specific situations it may constitute their transportation. The doctrine and case law have not thoroughly analysed the issue of what type of transportation it is in accordance with the norms of public law and, as a result, have not answered the basic question whether this transportation is regulated only by TL or, e.g. by the provisions of the Act on road transport or the Act on rail transport. It seems that the provisions of the Civil Code may mainly regulate transportation of fans in specific situations.

At the very beginning, a question must be answered whether fans’ travel should be recognised as regular, shuttle, special-regular or occasional transportation in the meaning of the Act on road transport or the Act on rail transport. These two forms of travel are most frequently chosen by fans to travel with their team mainly in the territory of Poland.

In accordance with Article 4(7) Act of road transport, regular transportation means public transport of persons and their luggage in established time intervals and along determined routes, following rules laid down in TL. In order to recognise given transportation of people as regular, it must be cyclical and available to any potential customer who got to know about this transportation from a commonly available advertisement.²⁴ Therefore, transportation of fans cannot be recognised as such. Fans usually rent a means of transport exclusively for their group in order to travel to a given mass event and, that is why, it is not regular in nature.

Fans’ travel cannot be, as a rule, special-regular, either because it constitutes a special form of regular transportation of people.²⁵ The main feature differentiating special-regular transportation from regular one is its non-public nature.²⁶ The special-regular transportation is not commonly available and is offered to a specified group of people with the exclusion of others.²⁷ Those two types of transportation differ only by the category of people who use this transportation and all the other aspects or requirements are identical. In case of the special-regular transportation, the classification criteria include regularity and transportation of a particular category of people (e.g. students²⁸ or employees) and, that is why, it is hard to recognise

²⁴ R. Strachowska, *Komentarz do art. 4 ustawy o transporcie drogowym*, LEX/el. 2012.

²⁵ See, e.g. the judgement of the Supreme Administrative Court of 6 May 2008, OSK 1306/06, unpublished; the judgement of the Supreme Administrative Court of 21 August 2007, OSK 1274/06, LEX No. 382714.

²⁶ R. Strachowska, *Komentarz do art. 4...*

²⁷ As the Voivodeship Administrative Court in Warsaw rightly stated in the justification to the judgement of 6 June 2006, VI SA/Wa 228/06, *Wspólnota* 2007, No. 8, p. 31, “services consisting in carriage of a specified category of passengers in specified time intervals and on determined routes, provided that passengers are taken from stops determined in advance and transported to stops determined in advance for a fixed price, are recognised as special-regular services”.

²⁸ For more on the doubts concerning that, see R. Strachowska, *Komentarz do art. 4...*

occasional travelling, e.g. to a football match.²⁹ Moreover, the special-regular transportation requires a timetable, which in case of fans' travel is not developed.

As a rule, organised fans' travel is not occasional transportation, either. In accordance with Article 4(11) Act on road transport, occasional transportation means transportation of people not constituting regular or special-regular, or shuttle transportation. The definition raises many doubts in the doctrine.³⁰ Occasional transportation is performed with the use of a road vehicle designed to transport more than seven persons, including a driver (Article 18(4a) Act on road transport). In accordance with Article 18(4b) Act on road transport, occasional transportation may be performed with the use of a historic vehicle (driven by an entrepreneur who provides transportation services or a driver he employs based on a contract concluded in writing in the company head office after the establishment of charges for transportation before the transportation service starts; the payment for transportation is by transfer but payment in cash in the head office is also admissible), which does not meet the construction criteria for transportation of more than seven persons, including a driver, and is the exclusive property of an entrepreneur or an object of lease from that entrepreneur. I believe that transportation of fans by car cannot be recognised as occasional because the costs incurred by passengers are to cover the expenditure of the driver who gives them a lift when travelling to a match. Therefore, travel by car, e.g. to a volleyball match, will not be usually classified as occasional transportation pursuant to the Act on road transport.³¹

Fans' organised travel, in most cases, might be recognised as shuttle transportation. In accordance with the legal definition of shuttle transportation laid down in Article 4(10) Act on road transport, the term means transportation of people characterised by multiplicity, and return transportation of organised groups between the same points of departure and destination. Moreover, in order to be classified as shuttle transportation in the meaning of the Act on road transport, it must meet two conditions jointly: a group of people transported to the place of destination returns to the place of departure; the place of departure means the place where the transportation service starts and the place of destination means the place where the transportation service ends, taking into account all surrounding towns within 50 kilometres radius.³² Moreover, it must be highlighted that regularity of providing transportation does not exclude admissibility of changes in the timetable and travel routes. The above stand is reflected in case law of the Supreme Administrative Court,³³ although the issue is very controversial. Nevertheless, it

²⁹ See, the judgement of the Supreme Administrative Court of 19 April 2013, II GSK 165/12, unpublished.

³⁰ See, e.g. R. Strachowska, *Komentarz do art. 4...*

³¹ Judgement of the Voivodeship Administrative Court in Wrocław of 17 June 2014, III SA/Wr 124/14, published at: www.orzeczenia-nsa.pl.

³² Judgement of the Voivodeship Administrative Court in Olsztyn of 12 February 2015, II SA/OI 1301/14, LEX No. 1649892; judgement of the Supreme Administrative Court of 28 January 2015, II GSK 2180/13, LEX No. 1769745.

³³ See, e.g. the judgement of the Supreme Administrative Court of 19 April 2013, II GSK 165/12, unpublished; judgement of the Supreme Administrative Court of 27 November 2013, II GSK 1179/12, LEX No. 1558497.

seems that transportation of fans to mass or other events may be recognised as shuttle one because it usually takes place at weekly or fortnightly intervals and a group of people is transported to a place and back from it.

Fans often use hired trains to travel and the classification of such transportation in accordance with the Act on rail transport has also raised doubts. First of all, based on the regulations of this Act, it should be assumed that, unlike in case of road transport, it is occasional transportation. It usually takes place as a result of an order of a non-scheduled (additional) train. The definition of passenger occasional transportation is laid down in Article 4(22a) Act on rail transport. In accordance with this definition, passenger occasional transportation is single transportation within passenger rail transport aimed at meeting transportation needs that are not planned as part of the transportation services offered on a given route based on a contract for the provision of public services or on the decision on providing open access³⁴ (therefore, it differs considerably from the definition of occasional transportation laid down in the Act on road transport). In accordance with Article 28y Act on rail transport, occasional transportation on a rail line is provided within the limits of available infrastructure capacity. As the President of the Office of Rail Transport (Urząd Transportu Kolejowego, ORT) indicated,³⁵ the aim of occasional passenger transportation must meet transportation needs that are not scheduled by the organiser of public mass transport in a contract for the provision of public services and not laid down in the decisions on providing a given carrier with open access. As the ORT President indicates, the implementation of such transportation should result from "the need that was noticed by the carrier to ensure transportation of people to a venue of a given event of different nature: a festival, a match, a concert, a congress or any other mass meeting, or result from the implementation of an ordered additional dedicated transportation, e.g. business, integration, holiday or the like. Unlike occasional passenger transportation, regular transportation of people has no precise, specific one-off purpose. Moreover, one-off transportation cannot be treated only as single travel to a place and back. Its repeatability is not important, either, e.g. league matches on the same sports facility. In such a case, it is a group of one-off transportation services because they concern transportation of fans to each match separately, e.g. based on the need reported to the carrier by an organiser of that match".³⁶ As a result, in my opinion, such organised travel of fans should be recognised as occasional transportation; however, one should remember that such transportation often takes place on a train scheduled within the yearly timetable, although then it is hard to recognise it as organised in nature, especially as it occurs based on individually purchased tickets, unless it takes place based on a contract for group transportation.

³⁴ See, A. Celejewska, [in:] P. Wajda (ed.), M. Wierzbowski (ed.), A. Błachnio-Parzych, A. Celejewska, P. Cizak, E. Grudzień, R. Iwański, M. Karcz-Kaczmarek, R. Lewicka, M. Lewicki, A.K. Modrzejewski, D. Opalska, A. Ostanek, M. Pawełczyk, M. Przybylska, M. Rypina, E. Skorczyńska, R. Stankiewicz, R. Strachowska, M. Szreniawska, T. Warchoł, M. Wasiak, M. Wincenciak, K. Wlazlak, P.W. Zawadzka, *Komentarz do art. 4 ustawy o transporcie kolejowym*, LEX 2014.

³⁵ Pasażerski przewóz okazjonalny – ORT President's stand; published at: www.utjk.gov.pl.

³⁶ *Ibid.*

4. ORGANISED TRAVEL OF FANS – CONTRACT FOR GROUP TRANSPORTATION OR A PASSENGER CHARTER CONTRACT

It should be pointed out that organised groups of fans have travelled in the territory of Poland mainly based on the group transportation contract. In accordance with Article 19 TL, it is concluded between an organiser of such transportation and a carrier, i.e. on the account and in the interest of other persons, participants of group transportation.³⁷ Thus, it is a contract for the provision of service for the benefit of a third party (*pactum in favorem tertii*). This kind of a contract is advantageous for carriers because, in accordance with Article 21 TL, in group transportation of people, an organiser is obliged to supervise participants' compliance with regulations, and first of all, both an organiser³⁸ and a participant are liable for any damage to a carrier's property, unless parties decide otherwise. As a result, in the event of damage caused, e.g. on a train, a carrier is entitled to claim respective compensation from the organiser and the participant. However, in practice, a contract is less and less often used. In case of using means scheduled in a yearly timetable, fans usually conclude individual contracts for transportation, which in practice causes many problems because in such a situation, travel is not classified as organised (which obviously does not make a participant exempt from regulations determining his obligations laid down in Article 14 TL). Moreover, in order to separate organised groups of fans' travel from other travellers within the scheduled yearly timetable, carriers more and more often conclude a passenger charter contract with fans' associations (in my opinion, in practice, erroneously called a contract of the lease of a means of transport)³⁹ instead of a contract for group transportation.

A passenger charter contract covers a specified space of a means of transport, depending on the number of passengers or the type and load weight and the provision of professional staff, suitably prepared to perform transportation. Thus, the contract can be treated as an innominate contract, which contains elements of a contract of lease but, in my opinion, it is also a contract for the provision of services. A contract is concluded for a specified period of time, i.e. for the time of travel from its start to its end. As M. Stec indicates, a passenger charter contract differs from a contract for carriage in the following ways:

- 1) a charterer takes a risk of failure to use the contracted space of a means of transport, i.e. the charter payment does not depend on the number of persons or the weight or number of pieces of luggage carried; a carrier must only provide a chartered means of transport to a charterer,
- 2) organisation of transportation is a charterer's not a carrier's job,
- 3) a charterer manages transportation operation, e.g. decides about the transportation route.⁴⁰

³⁷ T. Szanciło, *Prawo przewozowe. Komentarz*, Warsaw 2008, p. 123.

³⁸ Of course, an organiser has specified rights pursuant to Article 17 and Article 18 TL. For more, see e.g. T. Szanciło, *Prawo przewozowe...*, p. 133.

³⁹ For more, see E. Turski, *Umowa przewozu a umowa najmu środka transportu*, MoP No. 10, 1999.

⁴⁰ M. Stec, [in:] T. Mróz, M. Stec, *Prawo gospodarcze prywatne*, Warsaw 2005.

In practice, a passenger charter contract is concluded with the fans' association board. Based on it, a carrier provides a train or a coach and service staff of this means of transport (e.g. conductors, infrastructure personnel), for which the association is obliged to pay specified remuneration. A contract contains detailed provisions, which determine, e.g. the association's liability for damage or losses as well as how the means of transport should be provided. In my opinion, this contract is the best solution for travel of organised groups of fans because it ensures their determined rights and minimises potential infringement of the legal order by fans.

5. CONCLUSIONS

The issue of organised groups of fans' travel and their transportation is really complex. It requires not only the knowledge of the regulations of public but also private law. Fans usually travel by train or coach in the territory of Poland. The situation requires the use of standards resulting, first of all, from the Act on road transport and the Act on rail transport. In addition, legal relations between participants or an organiser of transportation and a carrier are subject to TL and the Civil Code. It is also necessary to remember that participants of organised transportation must comply with the regulations laid down in the Regulation of the Minister of Infrastructure of 23 November 2004 concerning order-related provisions binding in railway areas, on trains and other rail vehicles,⁴¹ or internal rules and regulations enacted by carriers.⁴² Moreover, it should be remembered that organisers of tourism and domestic carriers providing public transport services are also obliged to provide information concerning fans' travel, in accordance with the Act on the security at mass events.⁴³ Organised groups of fans' travel is also regulated by the Standing Commission for the Security of Sports Events⁴⁴ in its resolution No. 3 of 22 January 2013 concerning recommendations for fans' travel. The act contains a series of proposals, which, although they mainly concern rail travel, should be applicable to travel of the organised groups of fans.

Therefore, it is not true, as it is mainly suggested in the mass media, that travel of the organised groups of fans and their transportation are not regulated. Casuistry on this subject is abundant. Therefore, in my opinion, successive attempts to regulate this issue, as it was done by the last amendments to the Act on the security at mass events, lack substantive justification.⁴⁵ The issue of ensuring security and elimination of anti-social behaviour of the organised groups of fans' during travel or their transportation, especially football fans, has already been sufficiently regulated also in the civil law.

⁴¹ Journal of Laws [Dz.U.] of 2015, item 50, uniform text.

⁴² See, e.g. the legal act referred to under footnote 10.

⁴³ For example, an organiser of tourism provides information, e.g. about movement of people participating in mass sports events, including football matches, and their stay in venues of those events and information about the means of transport they use, assembly points, travel routes and the number of participants. Thus, carriers are not obliged to provide this information. See, M. Drózdź, *Ustawa o bezpieczeństwie...*, p. 321.

⁴⁴ It was formed based on §7(2) Regulation No. 84 of the President of the Council of Ministers of 1 October 2012 concerning the Commission for the Security of Sports Events.

⁴⁵ For more, see M. Drózdź, *Ustawa o bezpieczeństwie...*, pp. 392–393.

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TRAVEL OF AN ORGANIZED GROUP OF FANS AND THEIR TRANSPORTATION

Summary

The article describes the most important, in the author's opinion, regulations governing the travel and transportation of organized groups of fans. The paper describes the statutory provisions of public and private law which regulate the issue, but also proposes a definition of the term "travel of an organized group of fans". This article aims at clarifying doubts that arise from the interpretation of the aforementioned regulations. The article also highlights that the travel and transportation are comprehensively regulated by different standards, and hence the drafting of other provisions in this area may be pointless.

Keywords: transportation, transportation law, organized group of fans, means of transport, carrier

PRZEJAZD ZORGANIZOWANEJ GRUPY KIBICÓW ORAZ ICH PRZEWÓZ

Streszczenie

Artykuł opisuje najważniejsze, zdaniem autora, regulacje dotyczące przejazdu oraz przewozu zorganizowanych grup kibiców. W pracy opisano przepisy ustaw z zakresu prawa publicznego, jak i prywatnego, które regulują przedmiotową kwestię, ale także zaproponowano definicję terminu „przejazd zorganizowanej grupy kibiców”. Celem artykułu jest także wyjaśnienie wątpliwości, jakie wiążą się z omawianymi przepisami. W pracy podkreślono, że przejazd i przewóz są kompleksowo regulowane przez różne normy i stąd tworzenie w tym zakresie kolejnych przepisów może być niezasadne.

Słowa kluczowe: przewóz, prawo przewozowe, zorganizowana grupa kibiców, środek transportu, przewoźnik

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