

These notes relate to the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10) (asp 10) which received Royal Assent on 4 July 2006

POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006 (ASP 10)

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Public Order Etc.

Chapter Two: Public Processions

Section 71 – Powers and duties of local authorities

120. This section makes amendments to section 63 of the 1982 Act. It enables local authorities to consider a wider range of issues when deciding whether a procession should take place or if conditions should be placed on it, such as the risk of damage to property or disruption to the life of the community and whether the procession would place an excessive burden on the police. This section makes it clear that local authorities can impose conditions on funeral processions and any processions which are specified in an order made by the Scottish Ministers under section 62(11B)(b) of the 1982 Act. Processions which are specified in such an order can also be prohibited by local authority). This section also requires local authorities to maintain lists of processions held and prohibited in their areas and make them available to the public, and provide any information about processions to any member of the public who requests it.