
STATUTORY INSTRUMENTS

1987 No. 463

The Public Order (Northern Ireland) Order 1987

PART II

PROCESSIONS AND MEETINGS

Prohibiting public processions and open-air public meetings

5.—(1) If at any time the Secretary of State is of the opinion, in consequence of information furnished to him by the Chief Constable or for any other reason, that—

- (a) the exercise of the powers conferred by Article 4 in any area will not be sufficient to prevent such disorder, damage, disruption or intimidation as is referred to in paragraphs (1) and (2) of that Article; or
- (b) the holding in any area or place of any public procession or any open-air public meeting is likely to cause—
 - (i) serious public disorder;
 - (ii) serious disruption to the life of the community; or
 - (iii) undue demands to be made upon the police or military forces,

he may make an order—

- (A) prohibiting, for such period not exceeding 3 months as may be specified in the order, the holding in that area or place of all public processions or open-air public meetings or of such classes of public procession or open-air public meeting as may be so specified; or
- (B) permitting the holding in an area or place of a public procession or open-air public meeting specified in the order and prohibiting, for such period not exceeding one month as may be specified in the order, the holding in that area or place of any other public procession or open-air public meeting or of any class of public procession or open-air public meeting specified in the order.

(2) Wherever practicable, the Secretary of State shall, before making an order under paragraph (1), consult the committee of the Police Authority for Northern Ireland constituted under paragraph 15(2) of Schedule 1 to the Police Act (Northern Ireland) 1970; but nothing in this paragraph shall affect the validity of any such order.

(3) A recital in an order made by the Secretary of State under paragraph (1) as to his opinion and the information upon which that opinion was formed shall be conclusive evidence of the matters stated therein.

(4) The Chief Constable may delegate, to such extent and subject to such conditions as he may specify, his functions under paragraph (1) to a member of the Royal Ulster Constabulary not below the rank of Assistant Chief Constable.

(5) A person who—

- (a) organises a public procession or open-air public meeting the holding of which he knows is prohibited by virtue of an order under this Article; or

- (b) takes part in a public procession or open-air public meeting the holding of which he knows is prohibited by virtue of an order under this Article, shall be guilty of an offence.
- (6) A person guilty of an offence under paragraph (5) shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both; or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.