
STATUTORY INSTRUMENTS

1987 No. 463

The Public Order (Northern Ireland) Order 1987

PART III

STIRRING UP HATRED OR AROUSING FEAR

Supplementary provisions

Powers of entry and search

14.—(1) If a resident magistrate is satisfied on a complaint on oath made by a constable that there are reasonable grounds for suspecting that a person has possession of written material or a recording in contravention of Article 13, the resident magistrate may issue a warrant under his hand authorising any constable to enter and search the premises where it is suspected the material or recording is situated and to seize and remove anything which the constable reasonably suspects to be or include the material or recording.

(2) A constable entering or searching premises in pursuance of a warrant issued under this Article may use reasonable force if necessary.

(3) In this Article “premises” means any place and, in particular, includes—

- (a) any vehicle, vessel, aircraft or hovercraft;
- (b) any offshore installation as defined in section 1(3)(b) of the Mineral Workings (Offshore Installations) Act 1971; and
- (c) any tent or movable structure.

Savings for reports of parliamentary, Assembly or judicial proceedings

15.—(1) Nothing in this Part applies to a fair and accurate report of proceedings in Parliament^[F1], in the Scottish Parliament] or in the Assembly.

(2) Nothing in this Part applies to a fair and accurate report of proceedings publicly heard before a court or tribunal exercising judicial authority where the report is published contemporaneously with the proceedings or, if it is not reasonably practicable or would be unlawful to publish a report of them contemporaneously, as soon as publication is reasonably practicable and lawful.

F1 SI 1999/1820

Punishment of offences under Part III

16.—(1) A person guilty of an offence under this Part 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;

Changes to legislation: The Public Order (Northern Ireland) Order 1987, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 23 November 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) on conviction on indictment, to imprisonment for a term not exceeding^[F2] 7 years] or to a fine, or to both.

(2) For the purposes of the rules against charging more than one offence in the same count or complaint, each of Articles 9 to 13 creates one offence.

F2 2001 c. 24

Interpretation of Part III

17. In this Part—

Definitions rep. by 1990 c. 42

“distribute”, and related expressions, shall be construed in accordance with Article 10(3) (written material) and Article 11(2) (recordings);

“dwelling” means any structure or part of a structure occupied as a person's home or other living accommodation (whether the occupation is separate or shared with others) but does not include any part not so occupied, and for this purpose “structure” includes a tent, caravan, vehicle, vessel or other temporary or movable structure;

“fear” and “hatred” have the meanings assigned to them by Article 8;

“programme” means any item which is^[F3] included in a programme service];

[^{F4}“programme service” has the same meaning as in the Broadcasting Act 1990;]

“publish”, and related expressions, in relation to written material, shall be construed in accordance with Article 10(3);

“recording” has the meaning given by Article 11(2), and “play” and “show”, and related expressions, in relation to a recording, shall be construed in accordance with that provision;

“written material” includes any sign or other visible representation.

F3 1990 c. 42

F4 1990 c. 42

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Changes and effects yet to be applied to :

- Instrument amended by [1998 c. 2 s.18\(1\)Sch.3 para.3](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art.2(3)(b) amended by [1996 c. 26 s. 2\(3\)\(4\)](#)
- art.2(3)(b) amended by [1996 c. 26 s. 2\(3\)\(4\)](#)
- arts.5(2)66A7(1) revoked by [1998 c. 2 s.18\(2\)Sch.4](#)