
STATUTORY INSTRUMENTS

2004 No. 1988

The Anti-social Behaviour (Northern Ireland) Order 2004

Breach of anti social-behaviour orders

Breach of anti-social behaviour orders

7.—(1) If without reasonable excuse a person does anything which he is prohibited from doing by an anti-social behaviour order, he shall be guilty of an offence and liable—

- (a) on summary conviction, to imprisonment for a term not exceeding six 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 five years or to a fine, or to both.

(2) Proceedings for an offence under paragraph (1) may be brought by a district council^[F1] if—

- (a) in the case of an order under Article 3 or 4, the order was made on the application of the council; or
- (b) in the case of an order under Article 6 or 6A, the council is a specified authority in relation to the order.]

(3) Proceedings for an offence under paragraph (1) may be brought by the Northern Ireland Housing Executive^[F2] if—

- (a) in the case of an order under Article 3 or 4, the order was made on the application of the Executive; or
- (b) in the case of an order under Article 6 or 6A, the Executive is a specified authority in relation to the order.]

^[F3](3A) In proceedings for an offence under paragraph (1), a copy of the original anti-social behaviour order, certified as such by the proper officer of the court which made it, is admissible as evidence of its having been made and of its contents to the same extent that oral evidence of those things is admissible in those proceedings.]

(4) Where a person is convicted of an offence under paragraph (1), it shall not be open to the court by or before which he is so convicted to make an order under paragraph (1)(b) (conditional discharge) of Article 4 of the Criminal Justice (Northern Ireland) Order 1996 (NI 24) in respect of the offence.

F1 Words in art. 7(2) substituted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(2)(a), 7(2); S.R. 2006/368, art. 2(a)

F2 Words in art. 7(3) substituted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(2)(a), 7(3); S.R. 2006/368, art. 2(a)

F3 Art. 7(3A) inserted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)), arts. 1(2)(a), 7(4); S.R. 2006/368, art. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the The Anti-social Behaviour (Northern Ireland) Order 2004, Section 7.