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STATUTORY INSTRUMENTS

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**2005 No. 857**

**The Public Processions (Amendment)  
(Northern Ireland) Order 2005**

*Public processions*

**Powers to impose conditions on supporters of public procession**

3.—(1) In section 8(1) of the principal Act (power of Commission to impose conditions on persons organising or taking part in a public procession) after “taking part in it” insert “or on any persons supporting it”.

(2) In section 3(1) of that Act (code of conduct to regulate conduct of persons organising or taking part in a public procession or protest meeting) for paragraph (b) substitute—

- “(b) regulating the conduct of persons—
- (i) organising, taking part in or supporting a public procession; or
  - (ii) organising or taking part in a protest meeting.”.

(3) In section 6(4)(c) of that Act (which requires notice of a public procession to specify the number of persons likely to take part in it) after “take part in” insert “or support”.

(4) In section 17 of that Act (interpretation) after subsection (2) insert—

“(2A) For the purposes of this Act a person supports a public procession if (and only if) at any time when the procession is being held—

- (a) he is in a public place and (subject to subsection (2B)) in close proximity to persons taking part in the procession; and
- (b) in all the circumstances (including his conduct) his presence in that place may reasonably be taken as expressing support for the holding of the procession.

(2B) For the purposes of subsection (2A) a person shall not be regarded as ceasing to be in close proximity to persons taking part in a public procession where he temporarily moves out of such proximity in compliance with —

- (a) conditions imposed by a determination under section 8; or
- (b) a direction given by a member of the Police Service of Northern Ireland not below the rank of inspector.”.