



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART V

PUBLIC PROCESSIONS

65 Offences and enforcement.

- (1) Subject to subsection (3) below, a person who holds a procession in public—
- (a) ^{F1}not] —
 - (i) having given or being a person who is treated as having given notice in accordance with section 62 of this Act of his proposal to do so; ^{F2}...
 - ^{F2}(ii)
 - (b) in contravention of an order under section 63(1) [^{F3}or (1A)] or 64(6)(a)(ii) of this Act prohibiting the holding of it;
 - (c) otherwise than in accordance with a condition imposed by an order under section 63(1) [^{F3}or (1A)] or 64(6)(a)(ii) of this Act in relation to the procession; or
 - (d) otherwise than in accordance with the particulars of its date, time and route specified—
 - (i) in the notice given under section 62(1) to (3) of this Act; or
 - (ii) where an order has been made under subsection (4) of that section, in the application for the orderexcept to the extent that a condition referred to in paragraph (c) above relates to its date, time or route,
- shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding [^{F4}level 4 on the standard scale] or to imprisonment for a period not exceeding 3 months or to both.
- (2) Subject to subsection (3) below, a person who takes part in a procession in public—
- (a) in respect of which—
 - (i) notice has not been or is not treated as having been given in accordance with section 62 of this Act; ^{F5}...

Changes to legislation: Civic Government (Scotland) Act 1982, Section 65 is up to date with all changes known to be in force on or before 05 April 2024. 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

^{F5}(ii)

- (b) in relation to which an order has been made under section 63(1) [^{F6}or (1A)] or 64(6)(a)(ii) of this Act prohibiting the holding of it;
- (c) which is held otherwise than in accordance with a condition imposed by an order under section 63(1) [^{F6}or (1A)] or 64(6)(a)(ii) of this Act in relation to the procession; or
- (d) which is held otherwise than in accordance with the particulars of its date, time and route specified—
 - (i) in the notice given under section 62(1) to (3) of this Act; or
 - (ii) where an order has been made under subsection (4) of that section, in the application for the order

except to the extent that a condition referred to in paragraph (c) above relates to its date, time or route

and refuses to desist when required to do so by a constable in uniform shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding [^{F4}level 3 on the standard scale].

[^{F7}(3) This section applies to a procession of the description set out in section 62(11B)(a) of this Act (funeral processions) only to the extent that the procession has been held otherwise than in accordance with conditions imposed under this Part of this Act.]

[^{F7}(3A) This section applies to a procession which is within section 62(11B)(b) of this Act (processions specified by order) only if and to the extent that it has been prohibited or conditions imposed on it under this Part of this Act.]

^{F8}(4)

^{F8}(5)

Textual Amendments

- F1** Word in s. 65(1)(a) substituted (1.4.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), **ss. 72(2)(a)(i)**, 104(1); S.S.I. 2007/84, art. 3(3) (with arts. 56)
- F2** S. 65(1)(a)(ii) and word repealed (1.4.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), **ss. 72(2)(a)(ii)**, 104(1); S.S.I. 2007/84, art. 3(3) (with arts. 56)
- F3** “or (1A)” inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(2)(4)(5), **Sch. 2 para. 3(5)(a)**
- F4** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289G**
- F5** S. 65(2)(a)(ii) and word repealed (1.4.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), **ss. 72(2)(b)**, 104(1); S.S.I. 2007/84, art. 3(3) (with arts. 56)
- F6** “or (1A)” inserted by [Public Order Act 1986 \(c. 64, SIF 39:2\)](#), s. 40(2)(4)(5), **Sch. 2 para. 3(5)(b)**
- F7** S. 65(3)(3A) substituted for s. 65(3) (1.4.2007) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006 \(asp 10\)](#), **ss. 72(2)(c)**, 104(1); S.S.I. 2007/84, art. 3(3) (with arts. 56)
- F8** S. 65(4)(5) repealed (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\)](#), s. 117(2), **sch. 2 para. 7(c)**; S.S.I. 2017/345, art. 3, sch.

Changes to legislation:

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

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

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)