



Public Processions (Northern Ireland) Act 1998

1998 CHAPTER 2

Advance notice of public processions and related protest meetings

6 Advance notice of public processions.

(1) A person proposing to organise a public procession shall give notice of that proposal in accordance with subsections [^{F1}(1A) to (4A)]^{F2}....

[^{F3}(1A) Notice under this section shall be—

- (a) left with a member of the Police Service of Northern Ireland not below the rank of sergeant at the police station nearest to the proposed starting place of the procession; or
- (b) sent to the Police Service of Northern Ireland by permitted electronic means (see section 7A).]

(2) Notice under this section shall be given—

- (a) not less than 28 days before the date on which the procession is to be held; or
- (b) if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice.

(3) Notice under this section shall—

- (a) be given in writing in such form as may be prescribed by regulations made by the Secretary of State; and
- (b) be signed by the person giving the notice.

(4) The form prescribed under subsection (3)(a) shall require a person giving notice under this section to specify—

- (a) the date and time when the procession is to be held;
- (b) its route;
- (c) the number of persons likely to take part in [^{F4}or support] it;
- (d) the names of any bands which are to take part in it;

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- (e) the arrangements for its control being made by the person proposing to organise it;
- (f) the name and address of that person;
- (g) where the notice is given as mentioned in paragraph (b) of subsection (2), the reason why it was not reasonably practicable to give notice in accordance with paragraph (a) of that subsection; and
- (h) such other matters as appear to the Secretary of State to be necessary for, or appropriate for facilitating, the exercise by the Commission, the Secretary of State or members of the Royal Ulster Constabulary of any function in relation to the procession.

[^{F5}(4A) Where notice is sent by permitted electronic means, the signature required by subsection (3)(b) is a permitted electronic signature (see section 7A).]

- (5) This section does not apply where the procession is—
 - (a) a funeral procession; or
 - (b) a procession of a class or description specified in an order made by the Secretary of State.
- (6) The Chief Constable shall ensure that a copy of a notice given under this section is immediately sent to the Commission.
- (7) A person who organises or takes part in a public procession—
 - (a) in respect of which the requirements of this section as to notice have not been satisfied; or
 - (b) which is held on a date, at a time or along a route which differs from the date, time or route specified in relation to it in the notice given under this section,
 shall be guilty of an offence.
- (8) In proceedings for an offence under subsection (7) it is a defence for the accused to prove that he did not know of, and neither suspected nor had reason to suspect, the failure to satisfy the requirements of this section or (as the case may be) the difference of date, time or route.
- (9) To the extent that an alleged offence under subsection (7) turns on a difference of date, time or route it is a defence for the accused to prove that the difference arose from—
 - (a) circumstances beyond his control;
 - (b) something done in compliance with conditions imposed under section 8; or
 - (c) something done with the agreement of a member of the Royal Ulster Constabulary not below the rank of inspector or by his direction.
- (10) A person guilty of an offence under subsection (7) shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.

Textual Amendments

- F1** Words in s. 6(1) substituted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **2(2)(a)**
- F2** Words in s. 6(1) omitted (11.3.2015) by virtue of [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **2(2)(b)**
- F3** S. 6(1A) inserted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **2(3)**

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- F4** Words in s. 6(4)(c) inserted (23.3.2005 with application as mentioned in art. 1(2) of the amending S.I.) by [The Public Processions \(Amendment\) \(Northern Ireland\) Order 2005 \(S.I. 2005/857 \(N.I. 2\)\)](#), **art. 3(3)**
- F5** S. 6(4A) inserted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **2(4)**

Modifications etc. (not altering text)

- C1** S. 6 excluded (1.5.1998) by [S.I. 1998/956](#), **art. 3**

7 Advance notice of protest meetings related to public processions.

- (1) Where notice has been given under section 6 in relation to a public procession, a person proposing to organise a related protest meeting shall give notice of that proposal in accordance with subsections [^{F6}(1A) to (4A)]^{F7}....

[^{F8}(1A) Notice under this section shall be—

- (a) left with a member of the Police Service of Northern Ireland not below the rank of sergeant at the police station nearest to the place at which the meeting is to be held; or
- (b) sent to the Police Service of Northern Ireland by permitted electronic means (see section 7A).]

- (2) Notice under this section shall be given—

- (a) not later than 14 days before the date on which the meeting is to be held; or
- (b) if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice.

- (3) Notice under this section shall—

- (a) be given in writing in such form as may be prescribed by regulations made by the Secretary of State; and
- (b) be signed by the person giving the notice.

- (4) The form prescribed under subsection (3)(a) shall require a person giving notice under this section to specify—

- (a) the date and time when the meeting is to be held;
- (b) the place at which it is to be held;
- (c) the number of persons likely to take part in it;
- (d) the arrangements for its control being made by the person proposing to organise it;
- (e) the name and address of that person;
- (f) where the notice is given as mentioned in paragraph (b) of subsection (2), the reason why it was not reasonably practicable to give notice in accordance with paragraph (a) of that subsection; and
- (g) such other matters as appear to the Secretary of State to be necessary for, or appropriate for facilitating, the exercise by the Secretary of State or members of the Royal Ulster Constabulary of any function in relation to the meeting.

[^{F9}(4A) Where notice is sent by permitted electronic means, the signature required by subsection (3)(b) is a permitted electronic signature (see section 7A).]

- (5) The Chief Constable shall ensure that a copy of a notice given under this section is immediately sent to the Commission.

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- (6) A person who organises or takes part in a protest meeting—
- (a) in respect of which the requirements of this section as to notice have not been satisfied; or
 - (b) which is held on a date or at a time or place which differs from the date, time or place specified in relation to it in the notice given under this section,
- shall be guilty of an offence.
- (7) In proceedings for an offence under subsection (6) it is a defence for the accused to prove that he did not know of, and neither suspected nor had reason to suspect, the failure to satisfy the requirements of this section or (as the case may be) the difference of date, time or place.
- (8) To the extent that an alleged offence under subsection (6) turns on a difference of date, time or place it is a defence for the accused to prove that the difference arose from—
- (a) circumstances beyond his control;
 - (b) something done in compliance with conditions imposed under [^{F10}section 9A]; or
 - (c) something done with the agreement of a member of the Royal Ulster Constabulary not below the rank of inspector or by his direction.
- (9) A person guilty of an offence under subsection (6) shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.

Textual Amendments

- F6** Words in s. 7(1) substituted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **3(2)(a)**
- F7** Words in s. 7(1) omitted (11.3.2015) by virtue of [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **3(2)(b)**
- F8** S. 7(1A) inserted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **3(3)**
- F9** S. 7(4A) inserted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), **3(4)**
- F10** Words in s. 7(8)(b) substituted (23.3.2005 with application as mentioned in art. 1(2) of the amending S.I.) by [The Public Processions \(Amendment\) \(Northern Ireland\) Order 2005 \(S.I. 2005/857 \(N.I. 2\)\)](#), **art. 4(4)**

[^{F11}7A. Meaning of “permitted electronic means” and “permitted electronic signature”

- (1) A notice is sent by “permitted electronic means” for the purposes of sections 6 and 7 if—
- (a) it is sent by a specified form of electronic communication (within the meaning of the Electronic Communications Act 2000) and in accordance with specified requirements; and
 - (b) receipt of the notice is acknowledged in a specified manner.
- (2) For the purposes of sections 6 and 7, a “permitted electronic signature” is an electronic signature (within the meaning of section 7(2) of the Electronic Communications Act 2000) which complies with such conditions or requirements as may be specified.

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- (3) In subsections (1) and (2), “specified” means specified in a direction given by the Secretary of State.
- (4) A direction under this section may be varied or revoked by a subsequent direction.
- (5) Before giving or varying a direction under this section, the Secretary of State must consult—
 - (a) the Chief Constable;
 - (b) the Commission; and
 - (c) such other persons as the Secretary of State is satisfied should be consulted.
- (6) The Secretary of State must publish a direction under this section.]

Textual Amendments

- F11** S. 7A inserted (11.3.2015) by [The Public Processions \(Electronic Communication of Notices\) \(Northern Ireland\) Order 2015 \(S.I. 2015/235\)](#), arts. 1(2), 4

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