



Public Processions (Northern Ireland) Act 1998

1998 CHAPTER 2

General regulation of public processions

13 Control of alcohol at public processions

- (1) Where a constable in uniform reasonably suspects that a person to whom this subsection applies is consuming intoxicating liquor, the constable may require that person—
 - (a) to surrender anything in his possession which is, or which the constable reasonably believes to be, intoxicating liquor; and
 - (b) to state his name and address.
- (2) Subsection (1) applies to a person—
 - (a) who is taking part in a public procession; or
 - (b) who is among those who have assembled with a view to taking part in a public procession; or
 - (c) who—
 - (i) is otherwise present at, or is in the vicinity of, a place on the route or proposed route of a public procession; and
 - (ii) is in a public place, other than licensed premises.
- (3) Where a constable in uniform reasonably suspects that a person to whom this subsection applies is in possession of intoxicating liquor, the constable may require that person—
 - (a) to surrender anything in his possession which is, or which the constable reasonably believes to be, intoxicating liquor; and
 - (b) to state his name and address.
- (4) Subsection (3) applies to a person who is in a passenger vehicle which is being used for the principal purpose of carrying passengers for the whole or any part of a journey to a place in the vicinity of the route or proposed route of a public procession.

Status: This is the original version (as it was originally enacted).

- (5) A constable may dispose of anything surrendered to him under this section in such manner as he considers appropriate.
- (6) A person who fails without reasonable cause to comply with a requirement imposed on him under subsection (1) or (3) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) A constable who imposes a requirement on a person under subsection (1) or (3) shall inform that person of his suspicion and that failing without reasonable cause to comply with a requirement imposed under that subsection is an offence.
- (8) A constable in uniform may—
 - (a) stop a passenger vehicle; and
 - (b) search the vehicle and any person in the vehicle,if he has reasonable grounds to suspect that intoxicating liquor is being carried on the vehicle and that the vehicle is being used for the principal purpose mentioned in subsection (4).
- (9) The powers of a constable under this section may only be exercised in relation to a particular public procession in the period—
 - (a) beginning 6 hours before the proposed starting time of that procession; and
 - (b) ending at midnight on the day on which the persons taking part in the procession disperse.
- (10) Where a proposed public procession does not take place but persons have assembled with a view to taking part in the procession, subsection (9) shall have effect as if for the reference in paragraph (b) to the persons taking part in the procession there were substituted reference to the persons assembled with a view to taking part in the procession.