



# Public Processions (Northern Ireland) Act 1998

## 1998 CHAPTER 2

### *Supplementary*

#### **17 Interpretation.**

(1) In this Act—

“area” means the whole or any part of Northern Ireland;

“band” means a group of two or more persons who carry for the purpose of playing or sounding, or engage in the playing or sounding of, musical instruments;

“the Code of Conduct” has the meaning assigned by section 3(1);

“the Commission” means the Parades Commission for Northern Ireland;

“constable” means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve;

“the guidelines” has the meaning assigned by section 5(1);

“intoxicating liquor” and “licensed premises” have the same meanings as in the <sup>M1</sup>Licensing (Northern Ireland) Order 1996;

“passenger vehicle” means a motor vehicle (within the meaning of the <sup>M2</sup>Road Traffic (Northern Ireland) Order 1995) which is adapted to carry more than 8 passengers;

“the procedural rules” has the meaning assigned by section 4(1);

“protest meeting” means an open-air public meeting (within the meaning of the <sup>M3</sup>Public Order (Northern Ireland) Order 1987)—

(a) which is, or is to be, held—

(i) at a place which is on or in the vicinity of the route or proposed route of a public procession; and

(ii) at or about the same time as the procession is being or is to be held; and

(b) the purpose (or one of the purposes) of which is to demonstrate opposition to the holding of that procession on that route or proposed route;

---

*Changes to legislation:* There are currently no known outstanding effects for the Public Processions (Northern Ireland) Act 1998, Section 17. (See end of Document for details)

---

“public place” means—

- (a) any road within the meaning of the <sup>M4</sup>Roads (Northern Ireland) Order 1993; and
- (b) any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission;

“public procession” means a procession in a public place, whether or not involving the use of vehicles or other conveyances.

- (2) For the purposes of this Act a protest meeting is “related” to a public procession if the purpose (or one of the purposes) of the meeting is to demonstrate opposition to the holding of that procession on its route or proposed route.

[<sup>F1</sup>(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.]

- <sup>F1</sup>(3) References in this Act to the Chief Constable are to the Chief Constable of the Royal Ulster Constabulary; but the Chief Constable may delegate, to such extent and subject to such conditions as he may specify, any of his functions under this Act to a member of the Royal Ulster Constabulary not below the rank of Assistant Chief Constable.

#### Textual Amendments

- F1** S. 17(2A)(2B) 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(4)**

#### Marginal Citations

- M1** 1996 NI 22.  
**M2** 1995 NI 18.  
**M3** 1987 NI 7.  
**M4** 1993 NI 15.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Processions (Northern Ireland) Act 1998, Section 17.