
STATUTORY INSTRUMENTS

1987 No. 463

The Public Order (Northern Ireland) Order 1987

PART II

PROCESSIONS AND MEETINGS

Art. 3 rep. by 1998 c. 2

Imposing conditions on public processions and open-air public meetings

Para. (1) rep. by 1998 c. 2

(2) If a senior police officer, having regard to the time or place at which and the circumstances in which any open-air public meeting is being held or is intended to be held, reasonably believes that—

- (a) it may result in serious public disorder, serious damage to property or serious disruption to the life of the community; or
- (b) the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or to do an act they have a right not to do,

he may give directions imposing on the persons organising or taking part in the meeting such conditions as to the place at which the meeting may be (or continue to be) held, its maximum duration, or the maximum number of persons who may constitute it, as appear to him necessary to prevent such disorder, damage, disruption or intimidation.

(3) In^[F1] paragraph (2)] “a senior police officer” means—

- (a) in relation to^[F1] an] open-air public meeting being held, or to^[F1] an] open-air public meeting intended to be held in a case where persons are assembling with a view to taking part in it, a member of the Royal Ulster Constabulary not below the rank of inspector;
- (b) in relation to^[F1] an] open-air public meeting intended to be held in a case where sub-paragraph (a) does not apply, a member of the Royal Ulster Constabulary not below the rank of superintendent.

(4) Directions given by virtue of paragraph (3)(b) shall be given in writing.

(5) A person who knowingly fails to comply with a condition imposed under this Article shall be guilty of an offence, but it is a defence for him to prove that the failure arose from circumstances beyond his control.

(6) A person guilty of an offence under paragraph (5) shall be^[F2] 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.]

^[F3](7) This Article does not apply in relation to a protest meeting within the meaning of the Public Processions (Northern Ireland) Act 1998.]

F1 1998 c. 2

F2 1998 c. 2

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F3 2005 NI 2

Prohibiting public processions and open-air public meetings

5.—(1) If at any time the [^{F4}Department of Justice] is of the opinion, in consequence of information furnished to [^{F5}the Department of Justice] by the Chief Constable or for any other reason, that—

- (a) the exercise of the powers conferred by Article 4 in any area will not be sufficient to prevent such disorder, damage, disruption or intimidation as is referred to in [^{F6} paragraph (2)] of that Article; or
- (b) the holding in any area or place of [^{F7} . . . any open-air public meeting is likely to cause—
 - (i) serious public disorder;
 - (ii) serious disruption to the life of the community; or
 - (iii) undue demands to be made upon the police ^{F8} . . . ,

[^{F5}the Department of Justice] may make an order—

- [^{F9}(A) prohibiting the holding in that area or place of an open-air public meeting specified in the order;
- (B) prohibiting, for such period not exceeding 28 days as may be specified in the order, the holding in that area or place of any open-air public meeting or such class or description as may be so specified; or
- (C) prohibiting, for such period not exceeding 28 days as may be specified in the order, the holding in that area or place of any open-air public meetings.]

[^{F10}(1ZA) If at any time the Secretary of State is of the opinion, in consequence of information furnished to him by the Chief Constable or for any other reason, that the holding in any area or place of any open-air public meeting is likely to cause undue demands to be made upon the military forces, the Secretary of State may, in relation to that area or place, make an order under paragraph (1)(A), (B) or (C).]

[^{F11}(1A) An order [^{F12}made by the Department of Justice or the Secretary of State] under any paragraph (1)(B) or (C) may exempt any open-air public meeting, or any class or description of open-air public meeting, specified in the order.]

Para. (2) rep. 1998 c. 2

(3) A recital in an order made by the [^{F13}Department of Justice or the Secretary of State under this Article as to its or] his opinion and the information upon which that opinion was formed shall be conclusive evidence of the matters stated therein.

(4) The Chief Constable may delegate, to such extent and subject to such conditions as he may specify, his functions under paragraph (1) [^{F14}or (1ZA)] to a member of the Royal Ulster Constabulary not below the rank of Assistant Chief Constable.

(5) A person who—

- (a) organises [^{F15} an] open-air public meeting the holding of which he knows is prohibited by virtue of an order under this Article; or
- (b) takes part in [^{F15} an] open-air public meeting the holding of which he knows is prohibited by virtue of an order under this Article,

shall be guilty of an offence.

(6) A person guilty of an offence under paragraph (5) shall be^{F16} 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.]

^{F17}(7) This Article does not apply in relation to a protest meeting within the meaning of the Public Processions (Northern Ireland) Act 1998.]

- F4** Words in art. 5(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(2)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F5** Words in art. 5(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(2)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F6** 1998 c. 2
- F7** 1998 c. 2
- F8** Words in art. 5(1)(b)(iii) omitted (12.4.2010) by virtue of Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(2)(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F9** 1998 c. 2
- F10** Art. 5(1ZA) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F11** 1998 c. 2
- F12** Words in art. 5(1A) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F13** Words in art. 5(3) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(5)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F14** Words in art. 5(4) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 2(6)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F15** 1998 c. 2
- F16** 1998 c. 2
- F17** 2005 NI 2

Arts. 6, 6A rep. by 1998 c. 2

Endeavours to break up public processions or public meetings

Para. (1) rep. by 1998 c. 2

(2) A person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an offence.

^{F18}(2A) Paragraph (2) does not apply in relation to a protest meeting within the meaning of the Public Processions (Northern Ireland) Act 1998.]

(3) Subject to paragraph (4), a person guilty of an offence under paragraph^{F19}. . . (2) 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.

(4) Paragraph (3) does not apply to a person who commits an offence under paragraph (2) at a meeting referred to in paragraph 13 of Schedule 9 to the Electoral Law Act (Northern Ireland) 1962 or in section 97(2) of the Representation of the People Act 1983.

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F18 [2005 NI 2](#)

F19 [1998 c. 2](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument amended by [1998 c. 2 s.18\(1\)Sch.3 para.3](#)

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

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

- art.2(3)(b) amended by [1996 c. 26 s. 2\(3\)\(4\)](#)
- art.2(3)(b) amended by [1996 c. 26 s. 2\(3\)\(4\)](#)
- arts.5(2)66A7(1) revoked by [1998 c. 2 s.18\(2\)Sch.4](#)