

## STATUTORY INSTRUMENTS

# 1987 No. 463

## The Public Order (Northern Ireland) Order 1987

### PART V

#### MISCELLANEOUS AND GENERAL

##### *General provisions relating to offences*

#### **Powers of arrest**

24.—(1) <sup>F1</sup> .....

(2) <sup>F1</sup> .....

(3) If a constable reasonably suspects any person of committing or being about to commit or having committed an offence under<sup>F2</sup> Article 7(2)], 20(1) or 21(1), he may require that person to declare to him immediately his name and address, and if that person refuses or fails to do so or gives a false name or address he shall be guilty of an offence.

(4) A person guilty of an offence under paragraph (3) shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

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| <b>F1</b> | <a href="#">Art. 24(1)(2) repealed (1.3.2007) by <a href="#">Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2))</a>, arts. 1(2), 15(4), 41(2), Sch. 1 para. 25, <a href="#">Sch. 2</a></a> |
| <b>F2</b> | <a href="#">1998 c. 2</a>   |

#### **Consent to prosecution**

25. A prosecution for an offence under Part III or Article 21(1) shall not be instituted except by or with the consent of the Attorney General.

#### **Forfeiture**

26.—(1) A court by or before which a person is convicted of an offence under Article 9, 10, 11, 13, 19(1)<sup>F3</sup> 22(1) or section 139 of the Criminal Justice Act 1988] may make an order for the forfeiture, destruction or disposal of any relevant article.

(2) In paragraph (1) “relevant article” means—

- (a) in relation to an offence under Article 9, 10, 11 or 13, any written material or recording shown to the satisfaction of the court to be written material or a recording to which the offence relates;
- (b) in relation to an offence under Article 19(1), any thing in respect of which the offence was committed;

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**Changes to legislation:** *The Public Order (Northern Ireland) Order 1987, Cross Heading: General provisions relating to offences is up to date with all changes known to be in force on or before 30 March 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](#)*

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(c) in relation to an offence under Article 22(1)<sup>F4</sup> or section 139 of the Criminal Justice Act 1988], any weapon<sup>F4</sup> or article, as the case may be,] in respect of which the offence was committed.

(3) An order made under paragraph (1) shall not take effect until the expiry of the ordinary time within which an appeal may be instituted or, where an appeal is duly instituted, until it is finally decided or abandoned; and for this purpose—

- (a) an application for a case to be stated or for leave to appeal shall be treated as the institution of an appeal; and
- (b) where a decision on appeal is subject to a further appeal, the appeal is not finally decided until the expiry of the ordinary time within which a further appeal may be instituted or, where a further appeal is duly instituted, until the further appeal is finally decided or abandoned.

**F3** 1988 c. 33

**F4** 1988 c. 33

**Changes to legislation:**

The Public Order (Northern Ireland) Order 1987, Cross Heading: General provisions relating to offences is up to date with all changes known to be in force on or before 30 March 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.

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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](#)