
STATUTORY INSTRUMENTS

1997 No. 1181

The Public Order (Amendment) (Northern Ireland) Order 1997

Control of alcohol at public processions

4. In the Public Order (Northern Ireland) Order 1987 after Article 6 there shall be inserted the following Article—

“Control of alcohol at public processions

6A.—(1) Where a constable in uniform reasonably suspects that a person to whom this paragraph 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) Paragraph (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 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 paragraph 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) Paragraph (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.

(5) A constable may dispose of anything surrendered to him under this Article in such manner as he considers appropriate.

(6) A person who fails without reasonable cause to comply with a requirement imposed on him under paragraph (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 paragraph (1) or (3) shall inform that person of his suspicion and that failing without reasonable cause to comply with a requirement imposed under that paragraph is an offence.

(8) A constable in uniform may—

- (a) stop a passenger vehicle; and
- (b) search the vehicle and any person on 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 paragraph (4).

(9) The powers of a constable under this Article 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 that procession finishes.

(10) Where a proposed procession does not take place but persons have assembled with a view to taking part in the procession, paragraph (9) shall have effect as if for subparagraph (b) there were substituted—

- “(b) ending at midnight on the day on which the persons assembled with a view to taking part in the procession disperse.”.

(11) In this Article—

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

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