
STATUTORY INSTRUMENTS

2004 No. 1988

The Anti-social Behaviour (Northern Ireland) Order 2004

Introductory

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“anti-social behaviour order” means an order under Article 3, 4^[F1]6 or 6A;

“the commencement date” means the date on which Article 3 comes into operation.

(3) In this Order “a relevant authority” means—

- (a) a district council;
- (b) the Chief Constable; or
- (c) the Northern Ireland Housing Executive.

(4) In this Order “relevant persons” means—

- (a) in relation to a district council, persons within the district of the council;
- (b) in relation to the Chief Constable, persons within Northern Ireland;
- (c) in relation to the Northern Ireland Housing Executive—
 - (i) persons who are residing in or who are otherwise on or likely to be on premises provided or managed by the Executive; or
 - (ii) persons who are in the vicinity of or likely to be in the vicinity of such premises.

^[F2](4A) The Secretary of State may by order amend paragraph (3) by adding any person or body specified in the order to the list of relevant authorities in that paragraph.

(4B) An order under paragraph (4A) may—

- (a) amend paragraph (4) so as to specify the persons who are to be “relevant persons” in relation to any person or body added to the list of relevant authorities;
- (b) amend Article 5 so as to require consultation by or with any person or body so added before the making of an application for an order under Article 3; and
- (c) amend Article 7 so as to enable proceedings for an offence under paragraph (1) of that Article to be brought by any person or body so added.

(4C) An order under paragraph (4A) shall be subject to ^[F3]negative resolution[.]

(5) In this Order, in relation to an anti-social behaviour order^[F4] under Article 3 or 4]

- (a) references to “the relevant authority” are references to the relevant authority on whose application the order is made; and
- (b) references to “the defendant” are references to the person in respect of whom the order is made.

(6) The Chief Constable may direct in writing that such of his functions under this Order as are specified in the direction may be exercised by such police officers as are specified in the direction.

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| F1 | Words in art. 2(2) in definition of "anti-social behaviour order" substituted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)) , arts. 1(2)(a), 4(2); S.R. 2006/368, art. 2(a) |
| F2 | Art. 2(4A)-(4C) inserted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)) , arts. 1(2)(a), 2(2); S.R. 2006/368, art. 2(a) |
| F3 | Words in art. 2(4C) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) , arts. 1(2), 4(3), Sch. 2 para. 26(2) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F4 | Words in art. 2(5) inserted (18.9.2006) by Criminal Justice (Northern Ireland) Order 2005 (S.I. 2005/1965 (N.I. 15)) , arts. 1(2)(a), 2(3); S.R. 2006/368, art. 2(a) |

Changes to legislation:

There are currently no known outstanding effects for the The Anti-social Behaviour (Northern Ireland) Order 2004, Section 2.