



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART V

PUBLIC PROCESSIONS

62 Notification of processions.

- (1) A person proposing to hold a procession in public shall give written notice of that proposal in accordance with subsections (2) and (3) below
 - ^{F1}(a) to the ^{F2}local authority in whose area the procession is to be held, or if it is to be held in the areas of more than one such ^{F2} authority], to each such ^{F2}authority]^{F3}; and
 - (b) to the chief constable.]
- (2) Notice shall be given for the purposes of subsection (1) above by—
 - (a) its being posted to the main office of the ^{F2}local authority]^{F4}and to the office of the chief constable] so that in the normal course of post it might be expected to arrive not later than 7 days before the date when the procession is to be held; or
 - (b) its being delivered by hand to ^{F5}those offices] not later than 7 days before that date.
- (3) The notice to be given under subsection (1) above shall specify—
 - (a) the date and time when the procession is to be held;
 - (b) its route;
 - (c) the number of persons likely to take part in it;
 - (d) the arrangements for its control being made by the person proposing to hold it; and
 - (e) the name and address of that person.
- (4) A ^{F2}local authority] may, on application in accordance with subsection (5) below by a person proposing to hold a procession in public in their area
 - ^{F6}(a) made to them ^{F7}; and

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

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- (b) intimated to the chief constable,] within the period of 7 days before the date when the procession is to be held, make an order dispensing with the requirements of subsection (2) above in relation to the time limits for the giving of notice of that proposal.
- (5) An application under subsection (4) above shall specify the matters mentioned in subsection (3) above and, where an order has been made under the said subsection (4), the application for it shall be treated as notice duly given for the purposes of subsection (1) above.
- (6) A [F2local authority] may (whether upon application made to them or not) make an order exempting any person proposing to hold any procession in public being a procession specified in the order or one of a class of processions so specified from the requirement under this section to give notice to the [F2 authority]of the proposal to hold that procession.
- (7) This section does not apply in relation to processions commonly or customarily held; but a [F2local authority]may, as respects their area, order that it shall apply to any such procession so held or any such class of processions so held as is specified in the order.
- (8) An order under subsection (6) or (7) above may—
 - (a) provide that its application in any case or class of cases is subject to such conditions as may be specified in the order;
 - (b) classify processions by reference to any factor or factors whatsoever;
 - (c) be varied or revoked by subsequent order made in like manner.
- (9) The [F2local authority] shall, before making an order under subsection (4) above or making, varying or revoking an order under subsection (6) or (7) above, consult the chief constable.
- (10) F8
- (11) The [F2local authority] shall, as soon as possible after they make, vary or revoke an order under subsection (6) or (7) above, give public notice of that fact in a newspaper or newspapers circulating in their area.
- (12) In this section and in sections 63 to 65 of this Act—
 - “procession in public” means a procession in a public place;
 - “chief constable” means, in relation to a [F2local authority], the chief constable of the police force for the area which comprises or includes the area of the [F2authority]; and
 - “public place” has the same meaning as in [F9Part II of the Public Order Act 1986].

Textual Amendments	
F1	“(a)” inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), Sch. 2 para. 3(2)(a)(i)
F2	Words in s 62(1)(2)(4)(6)(7)(9)(11)(12) substituted (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 129(4)(a)-(d) ; S.I. 1996/323, art. 4(1)(c)
F3	S. 62(1)(b) and “; and” immediately preceding it inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), Sch. 2 para. 3(2)(a)(ii)
F4	Words inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), Sch. 2 para. 3(2)(b)(i)
F5	Words substituted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), Sch. 2 para. 3(2)(b)(ii)
F6	“(a)” inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), Sch. 2 para 3(2)(c)(i)

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- F7** S. 62(4)(b) and “; and” immediately preceding it inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(2)(c)(ii)**
- F8** S. 62(10) repealed by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(3)(4)(5), **Sch. 3**
- F9** Words substituted by Public Order Act 1986 (c. 64, SIF 39:2), **s. 40 (2)(4)(5)**, Sch. 2 para. 3(2)(d)

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