



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART V

PUBLIC PROCESSIONS

63 Functions of regional and islands councils in relation to processions.

- (1) The [^{F1}local authority] may, after consulting the chief constable in respect of a procession notice of which has been given or falls to be treated as having been given in accordance with section 62(1) of this Act, make an order—
- (i) prohibiting the holding of the procession; or
 - (ii) imposing conditions on the holding of it.

[^{F2}(1A) Where notice of a proposal to hold a procession has been given or falls to be treated as having been given in accordance with section 62(1) of this Act—

- (a) if a [^{F1}local authority] have made an order under subsection (1) above they may at any time thereafter, after consulting the chief constable, vary or revoke the order and, where they revoke it, make any order which they were empowered to make under that subsection;
 - (b) if they have decided not to make an order they may at any time thereafter, after consulting the chief constable, make any order which they were empowered to make under that subsection.]
- (2) The conditions which may be imposed under subsection (1) [^{F3}or (1A)] above on the holding of a procession may include conditions—
- (a) as to the date, time and duration of the procession;
 - (b) as to the route to be taken by it;
 - (c) prohibiting its entry into any public place specified in the order.
- (3) A [^{F1}local authority] shall—
- (a) where notice of a proposal to hold a procession has been given or falls to be treated as having been given in accordance with section 62(1) of this Act, deliver at least 2 days before the date when, in terms of the notice, the procession is to be held, to the person who gave the notice—

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: Civic Government (Scotland) Act 1982, Section 63 is up to date with all changes known to be in force on or before 25 May 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)

- (i) where they have made an order under subsection (1) [^{F4}or (1A)]^{F5} above, a copy of it and a written statement of the reasons for it; . . .
- (ii) where they decide not to make [^{F6}an order under subsection (1) above or to revoke an order already made under subsection (1) or (1A) above], notification of that fact;
- [^{F7}(iii) where they have, under subsection (1A) above, varied such an order, a copy of the order as varied and a written statement of the reasons for the variation; and]
- (b) where they have made an order under subsection (1) [^{F8}or (1A)] above in relation to a proposal to hold a procession, make such arrangements as will ensure that persons who might take or are taking part in that procession are made aware of the fact that the order has been made [^{F8}and, if the order has been varied under subsection (1A) above, that it has been so varied] and of its effect [^{F9}; and
- (c) where they have revoked an order made under subsection (1) or (1A) above in relation to a proposal to hold a procession, make such arrangements as will ensure that persons who might take or are taking part in that procession are made aware of the fact that the order has been revoked.]
- (4) The [^{F1}local authority] shall comply with subsection (3) above—
 - (a) as early as possible;
 - (b) only insofar as it is reasonably practicable for them to do so.

Textual Amendments

- F1** Words in s. 63(1)(1A)(a)(3)(4) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 129(5)**; S.I. 1996/323, **art. 4(1)(c)**
- F2** S. 63(1A) inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(3)(a)**
- F3** “or (1A)” inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(3)(b)**
- F4** “or (1A)” inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(3)(c)(i)**
- F5** Word repealed by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(3)(4)(5), **Sch. 3**
- F6** Words substituted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para 3(3)(c)(ii)**
- F7** S. 63(3)(iii) substituted for word by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(3)(c)(iii)**
- F8** Words inserted by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2)(4)(5), **Sch. 2 para. 3(3)(c)(iv)**
- F9** S. 63(3)(c) 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(3)(c)(v)**

Status:

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

Changes to legislation:

Civic Government (Scotland) Act 1982, Section 63 is up to date with all changes known to be in force on or before 25 May 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.