STATUTORY INSTRUMENTS

2015 No. 235

PUBLIC ORDER, NORTHERN IRELAND

The Public Processions (Electronic Communication of Notices) (Northern Ireland) Order 2015

Made - - - - *12th February 2015*

Laid before Parliament *17th February 2015*

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 8(1), (2)(a) to (c), (3), (4)(a) to (c) and (6)(a), and 9(1)(a), (5)(a), and (6)(a) and (c) of the Electronic Communications Act 2000(**1**).

The Secretary of State considers that the authorisation of the use of electronic communications by this Order for any purpose is such that the extent (if any) to which records of things done for that purpose will be available will be no less satisfactory in cases where use is made of electronic communications than in other cases.

Citation, commencement, extent and interpretation

1.—(1) This Order may be cited as the Public Processions (Electronic Communication of Notices) (Northern Ireland) Order 2015.

(2) This Order comes into force at the end of the period of 28 days beginning with the day on which it is made.

(3) This Order extends to Northern Ireland only.

(4) In this Order, "the 1998 Act" means the Public Processions (Northern Ireland) Act 1998(**2**).

(**1**) 2000 c.7; the Secretary of State is the "appropriate Minister" in respect of the Public Processions (Northern Ireland) Act 1998 (see section 9 of the Electronic Communications Act 2000).

(**2**) 1998 c. 2; from 23 November 2000, references in the 1998 Act: "(a) to the Chief Constable of the Royal Ulster Constabulary shall be construed as a reference to the Chief Constable of the Police Service of Northern Ireland; (b) to a person holding any other particular rank, or a rank of a particular description, in the Royal Ulster Constabulary shall be construed as a reference to a person holding that rank, or a rank of that description, in the Police Service of Northern Ireland; (c) to a member of the Royal Ulster Constabulary shall be construed as a reference to a member of the Police Service of Northern Ireland; (d) to a member of the Royal Ulster Constabulary Reserve shall be construed as a reference to a member of the Police Service of Northern Ireland Reserve; (e) to the Royal Ulster Constabulary Reserve shall be construed as a reference to the Police Service of Northern Ireland Reserve; and (f) to the Royal Ulster Constabulary in any other context shall be construed as a reference to the Police Service of Northern Ireland" (section 78, Police (Northern Ireland) Act 2000 (c. 32)).

PART 1

Amendments of the 1998 Act

Amendment of section 6 of the 1998 Act

2.—(1) Section 6 of the 1998 Act (advance notice of public processions)(**3**) is amended as follows.

(2) In subsection (1)—

(a) for "(2) to (4)" substitute "(1A) to (4A)"; and

(b) omit the words from "to a member" to the end of that subsection.

(3) After subsection (1) insert—

"(1A) Notice under this section shall be—

(a) left with a member of the Police Service of Northern Ireland not below the rank of sergeant at the police station nearest to the proposed starting place of the procession; or

(b) sent to the Police Service of Northern Ireland by permitted electronic means (see section 7A).".

(4) After subsection (4) insert—

"(4A) Where notice is sent by permitted electronic means, the signature required by subsection (3)(b) is a permitted electronic signature (see section 7A).".

Amendment of section 7 of the 1998 Act

3.—(1) Section 7 of the 1998 Act (advance notice of protest meetings related to public processions)(**4**) is amended as follows.

(2) In subsection (1)—

(a) for "(2) to (4)" substitute "(1A) to (4A)"; and

(b) omit the words from "to a member" to the end of that subsection.

(3) After subsection (1) insert—

"(1A) Notice under this section shall be—

(a) left with a member of the Police Service of Northern Ireland not below the rank of sergeant at the police station nearest to the place at which the meeting is to be held; or

(b) sent to the Police Service of Northern Ireland by permitted electronic means (see section 7A).".

(4) After subsection (4) insert—

"(4A) Where notice is sent by permitted electronic means, the signature required by subsection (3)(b) is a permitted electronic signature (see section 7A).".

Meaning of "permitted electronic means" and "permitted electronic signature"

4. After section 7 of the 1998 Act insert—

(**3**) Section 6 was amended by S.I. 2005/857.
(**4**) Section 7 was amended by S.I. 2005/857.