
STATUTORY INSTRUMENTS

2015 No. 235

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

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)⁽¹⁾ 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)⁽²⁾ 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—

(1) Section 6 was amended by [S.I. 2005/857](#).
(2) Section 7 was amended by [S.I. 2005/857](#).

- (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—

“Meaning of “permitted electronic means” and “permitted electronic signature”

7A.—(1) A notice is sent by “permitted electronic means” for the purposes of sections 6 and 7 if—

- (a) it is sent by a specified form of electronic communication (within the meaning of the Electronic Communications Act 2000(3)) and in accordance with specified requirements; and
- (b) receipt of the notice is acknowledged in a specified manner.

(2) For the purposes of sections 6 and 7, a “permitted electronic signature” is an electronic signature (within the meaning of section 7(2) of the Electronic Communications Act 2000) which complies with such conditions or requirements as may be specified.

(3) In subsections (1) and (2), “specified” means specified in a direction given by the Secretary of State.

(4) A direction under this section may be varied or revoked by a subsequent direction.

(5) Before giving or varying a direction under this section, the Secretary of State must consult—

- (a) the Chief Constable(4);
- (b) the Commission; and
- (c) such other persons as the Secretary of State is satisfied should be consulted.

(6) The Secretary of State must publish a direction under this section.”.

(3) “Electronic communication” is defined in section 15 of the Electronic Communications Act 2000 (c. 7) and that definition was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).

(4) References in the 1998 Act to the Chief Constable are to the Chief Constable of the Police Service of Northern Ireland; but the Chief Constable may delegate, to such extent and subject to such conditions as he may specify, any of his functions under this Act to a member of the Police Service of Northern Ireland not below the rank of Assistant Chief Constable (see section 17(3) of the 1998 Act, as amended by section 78 of the Police (Northern Ireland) Act 2000 (c. 32)).