



# Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

## PART 2

### PUBLIC ORDER ETC.

## CHAPTER 2

### PUBLIC PROCESSIONS

#### **70 Notification of public processions**

- (1) Section 62 of the Civic Government (Scotland) Act 1982 (c. 45) (giving notice of proposal to hold public processions) (“the 1982 Act”) is amended in accordance with subsections (2) to (8).
- (2) In subsection (2)—
  - (a) in paragraph (a), for “7” there is substituted “28”;
  - (b) in paragraph (b), for “7” there is substituted “28”.
- (3) In subsection (4), for “7” there is substituted “28”.
- (4) In subsection (5), for “specify” to “above”, where secondly occurring, there is substituted—
  - “(a) set out the reason why notice of the proposal was not given in accordance with subsections (1) and (2) above; and
  - (b) specify the matters mentioned in subsection (3) above.”.
- (5) Subsections (6), (7) and (8) are repealed.
- (6) In subsection (9), the words “or making, varying or revoking an order under subsection (6) or (7) above” are repealed.
- (7) Subsection (11) is repealed.
- (8) After subsection (11) there is inserted—

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*Status: This is the original version (as it was originally enacted).*

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“(11A) A local authority shall, as soon as possible after making an order under subsection (4) above, publicise that fact in such manner as they think fit and send a copy of the order to the applicant.

(11B) This section does not apply to a procession—

- (a) which is a funeral procession organised by a funeral director acting in the ordinary course of his business; or
- (b) which is specified in, or is within a description specified in, an order made by the Scottish Ministers.

(11C) In subsection (11B) above, a “funeral director” is a person whose business consists of or includes the arrangement and conduct of funerals.

(11D) An order made for the purposes of subsection (11B)(b) above shall be made by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament.”.