

STATUTORY INSTRUMENTS

1994 No. 1896

The Litter (Northern Ireland) Order 1994

Penalty for leaving litter, etc.

Enforcement of Articles 3 and 4

5.—(1) Where an authorised person believes that an offence under Article 3 ^{F1}... has been committed, he may demand the name and address of any person whom he believes to be guilty of the offence.

(2) An authorised person (other than a constable in uniform) demanding the name and address of any other person under paragraph (1) shall, if so required, produce his credentials.

[^{F2}(3) A person commits an offence if—

- (a) he fails to give his name and address in response to a demand under paragraph (1), or
- (b) he gives a false or inaccurate name or address in response to a demand under that paragraph.

(3A) A person guilty of an offence under paragraph (3) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

(4) Without prejudice to the right of any other person to institute proceedings for an offence under Article 3 ^{F3}..., a district council may institute proceedings for such an offence committed in its district.

(5) In this Article—

[^{F4} “ authorised officer ” has the same meaning as in Article 6;]

“authorised person”, in relation to an offence believed to have been committed in any place, means—

- (a) an authorised officer of the district council within whose district the place is situated;
- (b) an authorised officer of the district council by whom the place is controlled or managed;
- (c) the owner or occupier of the place (being private land) or any servant or agent of his duly authorised by him in writing; or
- (d) a constable;

“believes” means believes on reasonable grounds.

F1 Words in art. 5(1) repealed (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), s. 78, [Sch. 4 Pt. 3](#); S.R. 2012/13, Sch. 2 (with art. 3)

F2 S. 5(3)(3A) substituted (1.4.2012) for s. 5(3) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), [ss. 15\(2\)](#), 78; S.R. 2012/13, Sch. 2 (with art. 3)

F3 Words in art. 5(4) repealed (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), s. 78, [Sch. 4 Pt. 3](#); S.R. 2012/13, Sch. 2 (with art. 3)

F4 Words in art. 5(5) inserted (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), [ss. 15\(3\)](#), 78; S.R. 2012/13, Sch. 2 (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Litter (Northern Ireland) Order 1994, Section 5.