

**CIVIL AUTHORITIES (SPECIAL POWERS) ACTS
(NORTHERN IRELAND), 1922-1943**

REGULATIONS, DATED 15TH DECEMBER, 1956, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SUB-SECTION (3) OF SECTION ONE OF THE CIVIL AUTHORITIES (SPECIAL POWERS) ACT (NORTHERN IRELAND), 1922.

1956. No. 191

[C]

Whereas by virtue of the Civil Authorities (Special Powers) Act (Northern Ireland), 1922, there are in force certain Regulations for peace and order in Northern Ireland being—

- (a) Regulations contained in the Schedule to that Act, and
- (b) Regulations made by the Minister of Home Affairs for Northern Ireland pursuant to powers conferred by sub-section (3) of Section One of the said Act

(which Regulations were contained in the Schedule or made as aforesaid are hereinafter referred to as the "principal Regulations"):

And whereas the said Minister is empowered by the said sub-section (3) to make Regulations for making further provision for the preservation of the peace and maintenance of order and any Regulations so made shall, subject to the provisions of the said Act have effect and be in force in like manner as Regulations contained in the Schedule to that Act:

And whereas it is expedient that further provision for the preservation of the peace and maintenance of order should be made:

Now, therefore, I, the Right Honourable W. W. B. Topping, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by the said sub-section, do hereby make the following Regulations:—

1. At the end of Regulation 10 of the principal Regulations there shall be inserted the following Regulations:—

" 11.—(1) Any person authorised for the purpose by the civil authority, or any police constable, or member of any of Her Majesty's forces on duty when the occasion for the arrest arises may arrest without warrant any person whom he suspects of acting or of having acted or of being about to act in a manner prejudicial to the preservation of the peace or maintenance of order, or upon whom may be found any article, book, letter, or other document, the possession of which gives ground for such a suspicion, or who is suspected of having committed an offence against these Regulations or of being in possession of any article or document which is being used or intended to be used for any purpose or in any

way prejudicial to the preservation of the peace or maintenance of order, and anything found on any person so arrested which there is reason to suspect is being so used or intended to be used may be seized.

(2) Any person so arrested may, on the order of the civil authority, be detained either in any of Her Majesty's prisons or elsewhere, as may be specified in the order, upon such conditions as the civil authority may direct, until he has been discharged by direction of the Attorney-General or is brought before a Court of Summary Jurisdiction. Any person to be brought before a Court under this regulation shall receive at least twenty-four hours' notice in writing of the nature of the charge preferred against him.

(3) Any person so arrested shall, if so ordered by the civil authority, or by a chief officer of police, or by police officer of higher rank, be photographed and finger-print impressions of the fingers and thumbs of both his hands taken, and if such person refuses to allow his photograph or such impressions to be taken or obstructs the taking thereof he shall be guilty of an offence against these regulations.

(4) On a person being taken into custody under this regulation he may apply to the civil authority for release on bail, and, if the civil authority so directs in writing, any resident magistrate may discharge the person so in custody upon his entering into a recognizance, with, or without, sureties, for a reasonable amount to appear at a time and place to be named in the recognizance.

(5) Any person detained under this regulation may, without prejudice to any other powers of removal, be removed on the order of the civil authority to any place where his presence is required in the interest of justice and may be detained in such place for such time as his presence is so required there, and whilst being so removed or detained he shall be deemed to be detained under the provisions of this regulation.

(6) If any person assists or connives at the escape of any person who may be in custody under this regulation, or knowingly harbours or assists any person who has so escaped, he shall be guilty of an offence against these regulations.

12.—(1) When it appears to the Minister of Home Affairs for Northern Ireland, on the recommendation of an officer of the Royal Ulster Constabulary not below the rank of a County Inspector or of an advisory committee that for securing the preservation of the peace and the maintenance of order in Northern Ireland it is expedient that a person who is suspected of acting or having acted or being about to act in a manner prejudicial to the preservation of the peace and the maintenance of order in Northern Ireland, shall be subjected to such obligations and restrictions as are hereinafter mentioned, the Minister of Home Affairs may by order require that person forthwith, or from time to time, either to remain in, or to

proceed to and reside in, such place as may be specified in the order and to comply with such directions as to reporting to the police, restriction of movement and otherwise as may be specified in the order, or to be interned as may be directed in the order.

Provided that any order under this regulation shall include express provision for the due consideration by an advisory committee of any representations which a person in respect of whom the order is made may make against the order.

(2) If any person in respect of whom any order is made under this regulation fails to comply with any of the provisions of the order he shall be guilty of an offence against these regulations, and any person interned under such order shall be subject to such restrictions as the Minister of Home Affairs may direct, and if any person so interned escapes or attempts to escape from the place of internment or commits any breach of the rules in force therein he shall be guilty of an offence against these regulations.

(3) The advisory committee for the purposes of this regulation shall be such advisory committee as is specially appointed by the Minister of Home Affairs for the purposes of this regulation, such committee being presided over by a person who holds or has held high judicial office or is a Recorder or County Court Judge or a practising Barrister of at least ten years' standing.

(4) Any person interned under this regulation may, without prejudice to any other powers of removal, be removed on the order of the civil authority to any place where his presence is required for the purpose of entering into a recognizance, or in the interests of justice or for the purpose of any public inquiry, and may be detained in such place for such time as his presence is so required there, and whilst being so removed or detained he shall be deemed to be interned under the provisions of this regulation.

(5) Any person interned under this regulation may, without prejudice to any other powers of removal, be removed on the order of the Minister of Home Affairs to any place of internment, whether one of Her Majesty's prisons or not, other than that specified in the internment order, and may be interned there and whilst being so removed or interned shall be deemed to be interned under the provisions of this regulation.

13.—(1) A person detained or interned under the regulations shall not, except with the sanction of the civil authority, be permitted to be visited by any person other than an officer of the place of detention or internment:

Provided that in any case where the civil authority considers it necessary so to do for the purpose of the prevention of crime or of the preservation of the peace or of the maintenance of order or for the purposes of the security, good order and government of the place of detention or internment, and

of the persons detained or interned therein, or for the purpose of preventing any tampering with evidence, or any plans of escape or for other like considerations, he may direct that no person whether an officer of the place of detention or internment or not may visit a person detained or interned except in the presence and, if so directed, the hearing of such person as the officer in charge of the place of detention or internment may nominate.

(2) (a) Except with the consent of the civil authority no communication may be sent by a person detained under the regulations whilst so detained. All communications from or to such person shall be examined by the said officer in charge or by another officer appointed by him for the purpose.

(b) No communications may be sent or received by a person interned under the regulations except such as have been examined and passed by the said officer in charge or by another officer appointed by him for the purpose.

(3) Nothing in this regulation shall be construed to prevent the civil authority from giving directions as to the conditions upon which persons are to be detained under regulation 11 provided always that if such conditions are inconsistent with this regulation this regulation shall prevail.

(4) Nothing in this regulation shall be construed to prevent the Minister of Home Affairs from giving directions as to the restrictions to which a person interned under regulation 12 shall be subject or to prevent rules being made to be in force in the place of internment provided always that if such restrictions or such rules are inconsistent with this regulation this regulation shall prevail.

(5) Persons detained or interned in any of Her Majesty's prisons shall be subject to any rules for the government of prisoners awaiting trial including such general prison rules as are applicable to such prisoners, for the time being in force, except in so far as the said rules are inconsistent with this regulation.

14. The powers conferred by these regulations are in addition to and not in derogation of any powers exercisable by the civil authority and other persons to take such steps as may be necessary for securing the preservation of the peace or maintenance of order, and save as otherwise expressly provided by these regulations nothing in these regulations shall affect the liability of any person to trial and punishment for any offence or crime otherwise than in accordance with these regulations. Provided that no person shall be liable to be punished twice for the same offence or crime.

15. Any person claiming to act under any permit or permission granted under or for the purposes of these regulations shall, if at any time he is required to do so by the civil authority or any person authorised by him, or by any officer of police, produce the permit or permission for

inspection, and if he refuses to do so he shall be guilty of an offence against these regulations.

Any permit or permission granted under or for the purposes of any provision of these regulations may at any time be revoked.

16. In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings, if in the course of such proceedings application is made by the prosecution on behalf of the civil authority that in the public interest all or any portion of the public shall be excluded during any part of the hearing, the court may make an order to that effect.

17. For the purposes of the trial of a person for an offence under these regulations, or under the Firearms Act, 1920, or the Firearms (Amendment) Act (N.I.), 1926, by a court of summary jurisdiction and the punishment thereof, the offence shall be deemed to have been committed either at the place in which the same actually was committed or in any place in which such person may be or to which he may be brought, and the trial, or any proceedings antecedent thereto or connected therewith, may take place on any date appointed by a resident magistrate having jurisdiction in such place, and a summons may be issued by a justice to a witness who is not within his jurisdiction, and any such summons may be issued, served and enforced in the same manner as a summons to a witness within the jurisdiction of the issuing justice."

2. These regulations may be cited as the Civil Authorities (Special Powers) Acts (Amending) Regulations (Northern Ireland), 1956.

Given under my hand at Belfast this 15th day of December, 1956.

W. W. B. Topping,
Minister of Home Affairs
for Northern Ireland.

REGULATIONS, DATED 21ST DECEMBER, 1956, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SUB-SECTION (3) OF SECTION ONE OF THE CIVIL AUTHORITIES (SPECIAL POWERS) ACT (NORTHERN IRELAND), 1922.

1956. No. 199

[C]

Whereas by virtue of the Civil Authorities (Special Powers) Act (Northern Ireland), 1922, there are in force certain Regulations for peace and order in Northern Ireland being—

- (a) Regulations contained in the Schedule to that Act, and
- (b) Regulations made by the Minister of Home Affairs for Northern Ireland pursuant to powers conferred by sub-section (3) of Section One of the said Act