



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART V

PUBLIC PROCESSIONS

62 Notification of processions

- (1) A person proposing to hold a procession in public shall give written notice of that proposal in accordance with subsections (2) and (3) below to the regional or islands council in whose area the procession is to be held, or if it is to be held in the areas of more than one such council, to each such council.
- (2) Notice shall be given for the purposes of subsection (1) above by—
 - (a) its being posted to the main office of the regional or islands council so that in the normal course of post it might be expected to arrive not later than 7 days before the date when the procession is to be held; or
 - (b) its being delivered by hand to that office not later than 7 days before that date.
- (3) The notice to be given under subsection (1) above shall specify—
 - (a) the date and time when the procession is to be held ;
 - (b) its route;
 - (c) the number of persons likely to take part in it;
 - (d) the arrangements for its control being made by the person proposing to hold it; and
 - (e) the name and address of that person.
- (4) A regional or islands council may, on application in accordance with subsection (5) below by a person proposing to hold a procession in public in their area made to them within the period of 7 days before the date when the procession is to be held, make an order dispensing with the requirements of subsection (2) above in relation to the time limits for the giving of notice of that proposal.
- (5) An application under subsection (4) above shall specify the matters mentioned in subsection (3) above and, where an order has been made under the said subsection (4),

the application for it shall be treated as notice duly given for the purposes of subsection (1) above.

- (6) A regional or islands council may (whether upon application made to them or not) make an order exempting any person proposing to hold any procession in public being a procession specified in the order or one of a class of processions so specified from the requirement under this section to give notice to the council of the proposal to hold that procession.
- (7) This section does not apply in relation to processions commonly or customarily held; but a regional or islands council may, as respects their area, order that it shall apply to any such procession so held or any such class of processions so held as is specified in the order.
- (8) An order under subsection (6) or (7) above may—
 - (a) provide that its application in any case or class of cases is subject to such conditions as may be specified in the order;
 - (b) classify processions by reference to any factor or factors whatsoever;
 - (c) be varied or revoked by subsequent order made in like manner.
- (9) The regional or islands council shall, before making an order under subsection (4) above or making, varying or revoking an order under subsection (6) or (7) above, consult the chief constable.
- (10) The regional or islands council shall as soon as a notice under subsections (1) to (3) above, or an application under subsection (4), is received send a copy of that notice or application to the chief constable.
- (11) The regional or islands council shall, as soon as possible after they make, vary or revoke an order under subsection (6) or (7) above, give public notice of that fact in a newspaper or newspapers circulating in their area.
- (12) In this section and in sections 63 to 65 of this Act—
 - " procession in public " means a procession in a public place;
 - " chief constable " means, in relation to a regional or islands council, the chief constable of the police force for the area which comprises or includes the area of the council; and
 - " public place " has the same meaning as in the Public Order Act 1936.