

SCHEDULE 1

Tier 3 restrictions

PART 1

Restrictions on gatherings

Organisation or facilitation of gatherings

3.—(1) No person may hold, or be involved in the holding of, a relevant gathering in the Tier 3 area.

(2) For the purposes of sub-paragraph (1) a person who only participates in a gathering by attending it is not to be taken as being involved in the holding of the gathering.

(3) A gathering is a “relevant gathering” for the purposes of this paragraph if it falls within sub-paragraph (4) or (5).

(4) A gathering falls within this sub-paragraph if it—

- (a) consists of more than 30 persons,
- (b) takes place indoors, and
- (c) would be a gathering of the kind mentioned in section 63(1) of the Criminal Justice and Public Order Act 1994⁽¹⁾ (powers to remove persons attending or preparing for a rave) if it took place in the open air.

(5) A gathering falls within this sub-paragraph if (not falling within sub-paragraph (4)) it—

- (a) consists of more than 30 persons,
- (b) takes place—
 - (i) in a private dwelling,
 - (ii) on a vessel, or
 - (iii) on land which satisfies the condition in sub-paragraph (6), and
- (c) is not a gathering in relation to which any of the exceptions set out in paragraph 4, 5 or 6, so far as capable of applying to the gathering, apply.

(6) Land satisfies the condition in this sub-paragraph if it is a public outdoor place which is not—

- (a) operated by a business, a charitable, benevolent or philanthropic institution, or
- (b) part of premises used for the operation of a business, a charitable, benevolent or philanthropic institution, or a public body.

(7) In sub-paragraph (5)(b)(ii) “vessel” means any ship, boat, barge, lighter or raft and any other description of craft, whether used in navigation or not, but does not include government vessels, vessels used for public transport or houseboats.

(8) In applying for the purposes of sub-paragraph (5)(c) the exceptions set out in paragraph 4, the following do not apply—

- (a) paragraph 4(3)(a), so far as relating to gatherings in public outdoor places operated by public bodies;
- (b) paragraph 4(3)(b).

(1) 1994 c. 33.

Status: *This is the original version (as it was originally made).*