CHAPTER 357

THE PUBLIC ORDER ACT

Arrangement of Sections Section

PART I

Preliminary

- 1. Short title.
- 2. Interpretation.

Part II

Meetings-General Provisions

- 3. Permit required for public meetings.
- 4. Applications for permits for meetings.
- 5. Grant of permits for meetings.
- 6. Permits required for non-citizens to address meetings.
- 7. Power to require dispersal of meetings.
- 8. Offence to take part in unauthorised meetings.
- 9. Non-application of this Part.

PART III

Marches and Processions

- 10. Permit required for public marches.
- 11. Applications for permits for marches.
- 12. Grant of permits for marches.
- 13. Leader of march may be required to call on march to disperse.
- 14. Offence to take part in unauthorised march.
- 15. Offence to lead or organise unauthorised marches.
- 16. Suspension of sections 10 to 13.

Section

PART IV

Meetings and Marches - Special Provisions

- 17. Power to prohibit meetings and marches.
- 18. Power to require dispersal of meetings and marches.
- 19. Offence to take part in prohibited meeting or march.
- 20. Prohibited Acts.
- 21. Exemptions.

PART V

Public Offices

- 22. Interpretation.
- 23. Power to require dispersal of public marches and meetings near scheduled premises.
- 24. Power of member of Force to call on meeting or march to disperse.
- 25. Participants in meeting or march to disperse when called on to do so.
- 26. Inciting.
- 27. Power to amend Second Schedule.

PART VI

Miscellaneous

- 28. Permit required for use of loudspeaker.
- 29. Offence to use loudspeaker without a permit or after 11.00 p.m.
- 30. Offence to attempt to break up public meeting.
- 31. Prohibition of offensive conduct at meetings conducive to breaches of peace.
- 32. Prohibition of offensive weapons at public meetings and marches etc.
- 33. Penalty for incitement to hatred.
- 34. False statements about public officials.
- 35. False statements prohibitions.
- 36. Penalty for incitement to violence etc.
- 37. Power of search.
- 38. Power of arrest.
- 39. Penalties for certain offences under this Act.
- 40. Appeals against refusal of applications for permits. FIRST SCHEDULE SECOND SCHEDULE

PUBLIC ORDER

(29th November, 1972.)

9/1972. 17/1976. 11/1977. 4/1979. 18/1989.

PART I

Preliminary

- 1. This Act may be cited as the Public Order Act. Short title.
- 2. (1) For the purposes of this Act—

Interpretation.

"constituency" means a constituency prescribed by the Constituencies Boundaries Commission Order, 1984, or any Order amending, altering or substituted for that Order;

S.I. 4/1984,

- "meeting" means any assembly or gathering of persons held for the purpose of the transaction of matters of public interest or for the discussion of such matters or for the purpose of the expression of views on such matters;
- "Minister" means the Minister charged with responsibility for maintenance of law and order;
- "non-citizen" means a person who is not a citizen of Antigua and Barbuda;
- "notice of election" means the notice of election provided for by the Representation of the People Act: Cap. 379.
- "offensive weapon" includes—
- (a) any firearm as defined in section 2 of the Firearms Act or any enactment replacing the same; Cap. 171.
- (b) any article made or adapted for use for causing injury to the person or intended by the person having it with him for such use by him; and
- (c) any article or device made or adapted for use for causing damage to any property or intended by the person having it with him for such use by him;

- "political meeting" means a meeting held in a constituency between the day of publication of the notice of election relating to a constituency and the day preceding polling day in that constituency for the purpose of furthering or criticising the aims, objects, action or programme of any political party or for the purpose of supporting or opposing the candidature of any individual as against any other or others at such election;
- "polling day" means the day fixed for the holding of a poll of electors at an election for a constituency;
- "public march" means any march or procession in a public place comprising (whether wholly or partly) pedestrians, persons on animals or in vehicles (however propelled or drawn) or on bicycles (however propelled), except a march or procession—
- (a) by members of the Royal Police Force of Antigua and Barbuda or the Fire Brigade on official duty; or
- (b) by members of the Antigua and Barbuda Defence Force on official duty; or
- (c) which takes place as a part of any religious ceremony, including a wedding or funeral, not being in any way connected with any political demonstration or celebration; or
- (d) which is officially organised by the Head Teacher of any school and is confined to the pupils and teachers of the school; or
- (e) organised for the purpose of celebrating the carnival or christmas seasons not being in any way connected with any political demonstration or celebration; or
- (f) by members of any body approved by the Minister, being an organisation or body which is not in any way connected with any political organisation;

- "public meeting" includes any meeting held in a public place and any meeting which the public or any section thereof are permitted to attend, whether on payment or otherwise;
- "public place" means any highway, street, public park or garden, any wharf, pier, beach and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not; it includes any open space and any building or premises to which for the time being, the public have or are permitted to have access whether on payment or otherwise;
- "trade union" means a trade union registered under Cap. 27. Division H of the Antigua and Barbuda Labour Code.
- (2) For the purposes of this Act a meeting held for any of the purposes specified in the definition of the expression "political meeting", shall, until the contrary is proved, be deemed to be a political meeting if any speaker at such meeting refers to or discusses the aims, objects, action or programme of any political party or the candidature of any individual at any election referred to in that definition.

PART II

Meetings-General Provisions

3. Notwithstanding anything contained in any other Permit required law, but subject to section 9, no person may organise, hold, for public meetings. call together or address a meeting in any public place unless a permit has been issued in respect thereof by the Commissioner of Police.

4. (1) Any person who desires to organise, hold or Applications for call together a meeting in a public place shall, at least two meetings. days before the day on which it is proposed to hold such meeting apply to the Commissioner of Police for a permit.

- (2) Every application under subsection (1) shall specify-
 - (a) the name or names of the person or persons desiring to organise, hold or call together the meeting;

- (b) the place at which the meeting is to be held and the approximate time at which it is to begin; and
- (c) the name of every speaker who is to address the meeting, and whether such person is a citizen of Antigua and Barbuda or a non-citizen.

Grant of permit for meetings.

- 5. (1) The Commissioner of Police, on an application made to him under subsection (1) of section 4, having regard to the preservation of public order and the interest of public safety shall grant or refuse the application.
- (2) Where an application is granted under this section the Commissioner of Police shall issue to the applicant a permit for the desired meeting specifying therein the times between which the meeting may be held and such other terms as the Commissioner of Police may consider necessary for the preservation of public order or in the interest of public safety.

Permits required for non-citizens to address meetings.

- **6.** (1) Notwithstanding that a permit may have been issued by the Commissioner of Police under section 5, no non-citizen shall address a meeting in a public place unless a permit has been issued to him to address such meeting by the Minister.
- (2) Any non-citizen who desires to address a meeting in a public place shall at least two days before the day on which it is proposed to make such address apply to the Minister for a permit and every application shall state the subject or subjects on which such non-citizen proposes to speak.
- (3) The Minister on an application made to him under this section may, in any case, grant or refuse the application.
- (4) Where an application is granted under this section the Minister shall issue to the applicant a permit for the holder thereof to speak at such meeting specifying therein the subject or subjects on which the holder thereof shall speak and such other terms as the Minister may consider necessary for the preservation of public order.

7. (1) Any member of the Police Force not below the rank of corporal may, in relation to any meeting being held meetings. in contravention of any of the provisions of this Part or of any permit issued thereunder, require any person addressing or known to him to have addressed such meeting or appearing to him to be the organiser or promoter or one of the organisers or promoters of such meeting, to call on the meeting to disperse.

- (2) Any person required under subsection (1) to call on any meeting to disperse, who refuses, fails or neglects immediately to call on such meeting to disperse, is guilty of an offence under this section.
 - 8. Any person who-

- Any person who—

 (a) contravenes any of the terms subject to or on unauthorised meeting.

 Offence to take part in unauthorised meeting. which a permit under this Part has been issued; or
- (b) organises, holds, calls together or addresses any meeting in contravention of any of the provisions of this Part or of any permit issued thereunder; or
- (c) attempts to commit any of the aforesaid offences or incites, aids or abets any other person to commit any such offence;

is guilty of an offence under this section.

9. (1) Nothing in this Part applies to the organising, Non-application of this Part. holding, calling together or addressing of-

(a) a political meeting in any public place in any constituency at any time between the day of publication of the notice of election relating to that constituency and the day preceding polling day; or

(b) any meeting in connection with any of the purposes for the time being set out in the First Schedule First Schedule. or in connection with such other purposes as may from time to time be included in such Schedule as provided for by section 21.

(2) During any period when an order is in force under Suspension of Part IV the operation of sections 3, 4, 5, 6 and 7 shall be suspended throughout Antigua and Barbuda or in any area thereof to which such order relates.

PART III

Marches and Processions

Permit required for public marches.

10. Notwithstanding anything contained in any other law no person may organise, lead or take part in any public march unless a permit has been issued in respect thereof by the Commissioner of Police.

Applications for permits for marches.

- 11. (1) Any person who desires to organise any public march shall, at least 3 days before the day on which such public march is to take place, apply to the Commissioner of Police for a permit.
- (2) Every application under subsection (1) shall contain particulars of—
 - (a) the name or names of the person or persons desiring to organise the public march to which the application relates;
 - (b) the purpose or purposes of the march;
 - (c) the point of departure, route and point of termination of the march;
 - (d) the hours between which the march will take place; and
 - (e) an estimate of the number of persons who are expected to take part in the march.

Grant of permits for marches.

- 12 (1) The Commissioner of Police on an application made to him under section 11, having regard to the preservation of public order and the interest of public safety, shall grant or refuse the application.
- (2) Where an application is granted, the Commissioner of Police shall issue to the applicant a permit for the desired march specifying therein the route to be followed and the times between which it may take place and such other terms as the Commissioner of Police may consider necessary for the preservation of public order or in the interest of public safety.

13. (1) Any member of the Police Force not below Leader of march the rank of corporal may require any person-

may be required to call on march to disperse.

- (a) leading any public march in contravention of the provisions of this Part or otherwise than in accordance with the terms of a permit issued thereunder; or
- (b) appearing to him to be the leader or one of the leaders of any such public march, to call on such public march to disperse.
- (2) Any person required under subsection (1) to call on any public march to disperse who refuses, fails or neglects immediately to call on such public march to disperse, is guilty of an offence under this section.
 - 14. Any person who takes part in any public march— Offence to take

- (a) in respect of which a permit under this Part unauthorised march. has not been obtained; or
- (b) otherwise than in accordance with the terms of a permit under this Part; is guilty of an offence under this section.
 - 15. Any person who-

(a) leads; or

Offence to lead or organise unauthorised

- (b) organises or attempts to organise; or
- (c) incites any person to organise or take part in, any public march in contravention of any of the provisions of this Part is guilty of an offence under this section.
- 16. During any period when an order is in force under Suspension of sections 10 to 13. Part IV the operation of sections 10, 11, 12 and 13 shall be suspended throughout Antigua and Barbuda or in any area thereof to which such order relates.

PART IV

Meetings and Marches-Special Provisions

17. (1) Notwithstanding anything contained in Power to prohibit meetings and III or in any other law, where at anytime the and marches. Governor-General is satisfied that, by reason of particular

circumstances existing in Antigua and Barbuda or in any area thereof, serious public disorder would be occasioned by the holding of public meetings or marches in Antigua and Barbuda or any area thereof and that it would be in the interest of public safety and necessary for the preservation of public order so to do, he may by order, subject to such exemptions as are from time to time specified in the First Schedule, prohibit throughout Antigua and Barbuda or in any area thereof—

First Schedule.

- (a) all public meetings and all public marches;
- (b) all persons from organising, holding, or speaking at, or attending, any public meeting or public march.
- (2) Every order made under this section—
- (a) shall remain in force for a period of not more than sixty days without prejudice to the power to make a further order at or before the end of such period;
 - (b) shall be published in the Gazette;
- (c) may at any time be varied, altered, amended or revoked by the Governor-General; and
- (d) shall be subject to negative resolution of the House of Representatives.

Power to require dispersal of meetings and marches.

- 18. (1) Any member of the Police Force not below the rank of corporal may, in relation to any public meeting being held or any public march in progress contrary to any of the provisions of this Part or of any order made thereunder, require any person—
 - (a) addressing or known to him to have addressed such meeting; or
 - (b) leading such march; or
- (c) appearing to him to be the promoter or organiser or one of the promoters or organisers or the leader or one of the leaders of such meeting or march, to call on such meeting or march to disperse.
- (2) Any person required under subsection (1) to call on any public meeting or public march to disperse, who refuses,

fails or neglects immediately to call on such meeting or march to disperse, is guilty of an offence under this section.

19. Any person who—

- Any person who—

 (a) contravenes any of the terms or requirements

 Offence to take part in prohibited meeting or meeting of an order under this Part; or
- (b) holds, organises, addresses, attends, or takes part in any public meeting or public march contrary to any of the provisions of this Part or of any order made thereunder; or
- (c) attempts to commit any of the offences mentioned in the foregoing paragraphs of this section, or incites, aids, or abets any other person to commit any such offence,

is guilty of an offence under this section.

- 20. Where an order has been made under this Part Prohibited Acts. and so long as the order is in force any person who within the area to which the order applies-
 - (a) carries any lighted torch (except bona fide electric torches); or
 - (b) without lawful excuse, beats any drum or blows or uses any noisy instrument; or
- (c) without lawful excuse, the proof whereof shall lie on him; carries any offensive weapon, is guilty of an offence under this section.
- 21. (1) Nothing in this Part applies to any meetings Exemptions. or marches held or organised in connection with any of the purposes for the time being set out in the First Schedule, First Schedule. or in connection with such other purposes as may from time to time be included in such Schedule as provided for by this section.
- (2) The Minister may from time to time by order amend, vary or alter the First Schedule in any respect and First Schedule. may add thereto or remove therefrom any purpose or name.
- (3) Every order made under this section shall be subject to negative resolution of the House of Representatives.

PART V

Public Offices

Interpretation.

22. (1) For the purposes of this Part—

"official premises" means any premises which-

- (a) are vested in the Crown or in any statutory body or board; or
- (b) are used or occupied by the Government or any statutory body or board; or
- (c) are vested in any person in trust for or on behalf of the Government or a statutory body or board; or
- (d) whether or not vested as mentioned in paragraphs (a) and (c) of this definition, are occupied by any public officer or any employee of a statutory body or board for the purposes of performing his functions as such;

Second Schedule.

- "scheduled premises" means any official premises specified in the Second Schedule;
- "specified distance" means the radius of one hundred yards from any point within the curtilage of any scheduled premises.
- (2) Nothing in this Part shall operate or be construed as operating to penalise or prevent—
 - (a) any lawful picketing carried on outside any official premises; or
- (b) any other lawful act done, by or on behalf of a trade union in contemplation or in furtherance of a trade dispute.

Power to require dispersal of public marches and meetings near scheduled premises.

- 23. (1) Any member of the Police Force not below the rank of corporal may, in relation to either—
 - (a) any public meeting held within the specified distance of any scheduled premises; or
 - (b) any public march in progress which comes within the specified distance of any scheduled premises;

during a sitting of either House of the Parliament of Antigua and Barbuda or during a sitting of any court or during normal working hours, as the case may be, require any person-

- (c) addressing or known to them to have addressed such meeting; or
 - (d) leading such march, or
- (e) appearing to him to be the promoter or organiser or one of the promoters or organisers or the leader or one of the leaders of such meeting or march, to call on such meeting or march to disperse.
- (2) Any person required under subsection (1) to call on any public meeting or public march to disperse, who refuses, fails or neglects immediately to call on such meeting or march to disperse, is guilty of an offence under this section.
- 24. Where any person who is required under sec- power of member tion 23 to call on any public meeting or public march to on meeting or disperse refuses, fails or neglects to do so, any member of march to disperse. disperse.

25. (1) Every person who is present at any meeting Participants in meeting or march which is called on to disperse under section 23 or to disperse when 24 shall immediately, on the meeting or march being called on to do so to disperse when called on to do so so to some place beyond the specified distance. on to disperse, go to some place beyond the specified distance from the scheduled premises by some route no point of which is nearer to the scheduled premises than is the place at which the meeting or march was called on to disperse.

- (2) Any person who contravenes the provisions of subsection (1) is guilty of an offence under this section.
- 26. Any person who incites any other person to con-Inciting. travene the provisions of section 25 (1) is guilty of an offence under this section.
- 27. (1) The Minister may from time to time by order Power to amend Second Schedule. amend, vary or alter the Second Schedule in any respect and may add thereto or remove therefrom any official premises.

(2) Every order made under this section shall be subject to negative resolution of the House of Representatives.

PART VI

Miscellaneous

Permit required for use of loudspeaker.

- **28.** (1) Except during any period referred to in paragraph (a) of section 9 (1), no person may—
 - (a) for the purpose of advertising or giving notice of any intended meeting or march, operate or cause to be operated in any public place; or
 - (b) for the purpose of commercial advertising, operate or cause to be operated in any public place, or in any place within public hearing; or
- (c) at any meeting operate or cause to be operated, any loudspeaker unless a permit has been issued by the Commissioner of Police for the operation of such loudspeaker.
- (2) Any person who desires to operate or to cause to be operated a loudspeaker in any of the circumstances mentioned in subsection (1) shall apply to the Commissioner of Police for a permit—
 - (a) in the case of a meeting or march for which a permit is required under this Act, at the same time as the application is made for a permit for that meeting or march; and
 - (b) in the case of a meeting or march, for which a permit is not required under this Act, at least 24 hours before the first day on which it is proposed to operate such loudspeaker; and
 - (c) in any case not specified in paragraphs (a) and (b) of this subsection, at least 48 hours before the day on which it is proposed to operate such loudspeaker.
- (3) Every application under this section shall contain particulars of the name or names of the person or persons by whom and on whose behalf the loudspeaker is to be operated and the purpose for which the loudspeaker is to be operated.

- (4) On an application made to him under this section, the Commissioner of Police may, in any case, grant or refuse the application.
- (5) Where an application is granted under this section the Commissioner of Police shall issue to the applicant a permit for the operation of a loudspeaker for such purpose as may be specified therein subject to such terms (including terms as to the times and places at which it may be operated) as the Commissioner of Police considers necessary for the preservation of public order.
 - (6) For the purposes of this Part-
 - (a) the expression "loudspeaker" means any apparatus which is designed, adapted or intended for the purposes of reproducing sounds over a wide area. It includes an amplifier, microphone or other similar instrument, apparatus or device, whether mobile or not; and
 - (b) the expression "commercial advertising" includes the advertising (whether for reward or not) of goods, wares and other merchandise, shows, plays and other entertainments and events, and services of any kind whatsoever.
- 29. (1) Except during any period referred to in Offence to use paragraph (a) of section 9 (1) or in connection with any of without a permit the purposes for the time being set out in the First Schedule, or after 11.00 p.m. no person may without lawful authority or reasonable excuse, the proof whereof shall lie on him, operate or cause to be operated any loudspeaker at any public meeting or in any public place after eleven o'clock in the evening.

- (2) Any person who operates or causes to be operated any loudspeaker at a public meeting or in a public place in contravention of subsection (1) or of any of the provisions of section 28 or of any terms on which a permit is issued under that section is guilty of an offence under this section.
- (3) Subject to the provisions of this Act, any person, who at any meeting whatsoever operates or causes to be operated any loudspeaker, without a permit issued by the

Commissioner of Police, or in contravention of any terms on which such permit is issued, is guilty of an offence.

Offence to attempt to break up public meeting.

- 30. (1) Any person who at a lawful public meeting acts or incites any other person to act in a disorderly manner, likely to prevent or obstruct, or for the purpose of preventing or obstructing the transaction of the business of the meeting is guilty of an offence under this section.
- (2) If any member of the Police Force suspects any person of committing an offence against subsection (1) he may, or if required so to do by the chairman of the meeting, shall require that person to leave the meeting immediately.
- (3) Any person who, having been required to leave any meeting by a member of the Police Force pursuant to subsection (2), refuses or fails immediately to leave such meeting is guilty of an offence under this section.

Prohibition of offensive conduct at meetings conducive to breaches of peace.

- 31. Any person who at any meeting in a public place or at any public meeting—
 - (a) uses threatening, abusive or insulting words or behaviour; or
 - (b) distributes or displays any writing, sign, or visible representation which is threatening, abusive or insulting,

with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned, is guilty of an offence under this section.

Prohibition of offensive weapons at public meetings and marches etc.

- 32. (1) Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, at any public meeting or in any public place or in any public place along the route of any public march or while taking part in any public march—
 - (a) carries any lighted torch (except bona fide electric torches),
 - (b) beats any drum or blows or uses any noisy instrument,
- (c) has with him any offensive weapon, is guilty of an offence under this section.

- (2) Any person who at any time when a public meeting is in progress has with him any firearm in any public place within earshot of any speaker addressing such meeting shall be deemed to have had such firearm while present at such meeting until he proves that his presence in such public place at such time was neither directly or indirectly consequent on the fact that such meeting was in progress at that time.
- (3) For the avoidance of doubt it is expressly declared that—
 - (a) the lawful possession of any licence to carry a firearm in any public place shall not in itself afford a defence to any proceedings under this section; and
 - (b) a person shall be deemed to be within earshot of any speaker at any time when he is at any point at which the voice of the speaker is in fact audible, notwithstanding that it would not have been so audible but for the use of a loudspeaker.
- (4) For the purpose of this section a person shall not be deemed to be acting in pursuance of lawful authority unless—
 - (a) if the offensive weapon involved is a firearm, he is acting in his capacity as a member of the Police Force, the Antigua and Barbuda Defence Force or the Armed Forces of Her Majesty; or
 - (b) if the offensive weapon involved is not a firearm, he is acting in his capacity as a member of the Police Force, or of the Fire Brigade or otherwise as a public officer or servant of the Crown.
- (5) Where a person is convicted of an offence under this section the Court—
 - (a) may make an order as to the forfeiture or disposal of any offensive weapon in respect of which the offence was committed; and
 - (b) where the offence was committed in respect of a firearm, may also make an order as to the forfeiture of any ammunition found in possession of such person and revoke any licence held by him under the Firearms Act or any enactment replacing the same.

Cap. 171.

Penalty for incitement to hatred.

- 33. (1) A person is guilty of an offence under this section if—
 - (a) he publishes or distributes written matter which is threatening, abusive or insulting; or
 - (b) he uses in any public place or at any public meeting words which are threatening abusive or insulting,

being matter or words, intended or likely to stir up or capable of stirring up hatred against any member, or any section, of the public in Antigua and Barbuda distinguished by race, place of origin, political opinions, colour or creed.

(2) A person guilty of an offence under this section is liable on summary conviction thereof to a fine not exceeding eight thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

False statements about public officials.

- 34. (1) Notwithstanding the provisions of any other law any person who in any public place or at any public meeting makes any false statement, concerning any public official which is calculated or is likely to bring any such person into ridicule, odium or contempt, or to undermine public confidence in the conduct of public affairs by such official, shall be guilty of an offence and shall be liable—
 - (a) on summary conviction to a fine not exceeding eight thousand dollars or to a term of imprisonment not exceeding twelve months,
 - (b) on conviction on indictment to a fine not exceeding fifteen thousand dollars or to a term of imprisonment not exceeding two years.
- (2) For the purposes of subsection (1) the expression "public official" shall include the Governor-General, Judges of the Supreme Court, members of Parliament, members of the Industrial Court, members of any Commission established by the Constitution or under any other law and public officers as defined in section 127 (1) of the Constitution.

- 35. Notwithstanding the provisions of any other law prohibitions.
 - (a) in any public place or at any public meeting makes any false statement; or
- (b) prints or distributes any false statement, which is likely to cause fear or alarm in or to the public, or to disturb the public peace, or to undermine public confidence in the conduct of public affairs, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifteen hundred dollars or to a term of imprisonment not exceeding six months.
- 36. (1) A person is guilty of an offence under this incitement to section, if, without lawful authority, the proof whereof shall violence etc. lie on him, in any public place or at any public meeting he—
 - (a) makes any statement; or
 - (b) plays or causes to be played any phonograph record or other sound recording; or
 - (c) publishes or distributes any written matter; or
- (d) behaves, or incites any other person to behave, in a manner which is intended or is likely to incite or induce or is capable of inciting or inducing any person—
 - (i) to kill or do physical injury to any person or to any class or community of persons; or
 - (ii) to destroy or do any damage to any property; or
 - (iii) to deprive any person by force or fear of the possession or use of any property either permanently or temporarily.
- (2) A person guilty of an offence under this section is liable on summary conviction thereof to a fine not exceeding fifteen thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.
- (3) For the purposes of this section, where a phonograph record or other sound recording is played at a public meeting, then—

- (a) in the case of a public meeting in respect of which a permit has been issued by the Commissioner of Police, the person to whom such permit was issued; and
- (b) in the case of any other public meeting the organiser or promoter of that meeting,

shall be deemed to have played or to have caused that phonograph record or other sound recording to be played at such meeting unless the contrary is proved by him.

Power of search.

- 37. (1) Subject to subsections (2) and (3), where any member of the Police Force has reasonable cause to suspect that any person has concealed about his person any offensive weapon contrary to section 32, he may search such person and, if he considers it necessary, take such person to a police station for the purpose.
- (2) No article of a person's clothing may be removed for the purposes of any search authorised by this section unless such person is first taken to a police station.
- (3) No female may be searched by any person other than a female.
- (4) Any person who resists or obstructs any search authorised by this section or who absconds before such search is completed is guilty of an offence under this section.

Power of arrest.

38. A member of the Police Force may arrest without a warrant any person who commits an offence against this Act in his presence or any person reasonably suspected by him to be committing or to have committed any offence against this Act.

Penalties for certain offences under this Act.

- **39.** A person guilty of an offence under this Act for which no other penalty is provided is liable on summary conviction thereof to—
 - (a) a fine not exceeding three hundred dollars or imprisonment for a term not exceeding three months or to both such fine and imprisonment, in the case of an offence under section 14, 25 (2) or 29; or

- (b) a fine not exceeding fifteen hundred dollars or imprisonment for a term not exceeding six months or to both such fine and imprisonment in the case of an offence under section 7 (2), 13 (2), 18 (2), 20, 23 (2), 26, 30 (1), 30 (3) or 31; or
- (c) a fine not exceeding three thousand dollars or imprisonment for a term not exceeding twelve months or both such fine and imprisonment in the case of an offence under section 8, 15, 19, 32 (1) or 37 (4).
- **40.** (1) Any person who is dissatisfied with the refusal of the Commissioner of Police to grant a permit under this Act or with the terms of such permit may, within seven days of being notified of the decision of the Commissioner of Police, appeal in writing to the Minister.

Appeals against refusal of applications for permits.

- (2) On an appeal to him under this section the Minister may confirm or reverse the decision of the Commissioner of Police or vary the terms of any permit granted by the Commissioner of Police or impose such other terms as he considers appropriate or necessary for the preservation of public order.
- (3) The decision of the Minister on any appeal under this section shall be final.

FIRST SCHEDULE

[Sections 9 (1) (b), 17 (1), 21 & 29 (1)]

- 1. Religious services or meetings held under the authority of the head of any religious denomination or of the Salvation Army.
- 2. Educational classes and recreation in schools or other educational institutions.
- 3. Bona fide cinematograph, musical and theatrical entertainments, dancing, beauty competitions or other similar shows.

- 4. Bonafide horse racing, cricket, football, hockey, polo, water polo, basket ball, netball, tennis, boxing, athletics, swimming and other bona fide sports.
- 5. Meetings organised by a trade union in furtherance of a specific trade dispute or for the celebration by trade unions of Labour Day.

SECOND SCHEDULE

(Sections 22 & 27.)

SCHEDULED PREMISES

- (1) Government House.
- (2) Parliament Building.
- (3) The Supreme Court.
- (4) Administration Building, High Street.
- (5) Offices of all Ministers of Government.
- (6) The Treasury, High Street.
- (7) Magistrates' Courts.
- (8) The Holberton Hospital.
- (9) Coolidge Airport.
- (10) The Deep Water Harbour.