

Note
on
Subsidiary Legislation

This Chapter contains no Subsidiary Legislation.

PUBLIC ORDER ACT
CHAPTER 15:01

Act
6 of 1954
Amended by
3 of 1954
18 of 1973
33 of 1976
12 of 1990

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CHAPTER 15:01

PUBLIC ORDER ACT

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CHAPTER 15:01

PUBLIC ORDER ACT

AN ACT to make further provision for the preservation of public order on the occasion of public processions and meetings and in public places.

1961 Ed.
Cap. 253,
6 of 1954.

Commencement.

[13th May 1954]

Short title.

1. This Act may be cited as the -

PUBLIC ORDER ACT.

2. In this Act -

"Commissioner" means the Commissioner of Police;
"local authority" means the Roseau City Council, the Portsmouth Town Council, the Carib Reserve Council, all Village Councils and Village Boards;

"meeting" means a meeting held for the purpose of discussions of matters of public interest or for the purpose of the expression of views on such matters;

"Minister" means the Minister responsible for public order;

"public meeting" includes any meeting 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, public park or garden, any sea beach, and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not, and includes any open space to which, for the time being, the public have or are permitted to have access, whether on payment or otherwise;

"public procession" means any march, demonstration or procession in a public place except a march, demonstration or procession -
(a) ordered by or approved by the President in respect of any of the armed forces of the State, or

(b) ordered by or sanctioned by the Commissioner in respect of the Police Force, the Fire and Ambulance Services, the

Cadet Corps, the Boys Brigade or any Youth Organisation approved by the Minister responsible for youth; or

(c) ordered or approved in writing by the Scouts or Guides Commissioners in respect of Scouts or Guides or similar groups; or

(d) which is, or is a component part of, a religious procession or ceremony sanctioned by the head of the denomination in the State, and approved by the Minister responsible for public order in writing; or

(e) which is part of a wedding or funeral procession not being in any way connected with any political demonstration or celebration; or

(f) which is sanctioned in writing by the Minister responsible for education, and is confined solely to the pupils and teachers of a particular school; or

(g) which is undertaken by any organisation approved by the Prime Minister; or

(h) which takes place on any occasions approved in writing by the Prime Minister;

"recognised corps" means a rifle club, miniature rifle club, cadet corps or other organisation approved by the Minister.

3. It shall be unlawful for any public procession to take place unless a permit has been issued in respect thereof in accordance with this Act.

4. (1) Where any person desires to organise any public procession he shall, at least three days before the intended public procession, make application for a permit to the Commissioner.

(2) Every application made in accordance with subsection (1) shall contain particulars of the point of departure, route and point of termination of the public procession to which the application relates and the hours between which the procession will take place.

5. (1) The Commissioner may in any case in writing grant the application.

(2) In cases where the Commissioner considers that the application should be refused, he shall forthwith refer the application to the

Permit
[35 of 1970].

L.R.O. 11/991

Minister with his recommendations thereon and he shall refuse or grant the application in accordance with the directions of the Minister.

(3) In cases where any application is granted in accordance with the directions of the Minister, the Commissioner shall issue to the applicant the required permit for the desired public procession, specifying therein the route to be followed and the times between which it shall take place as directed by the Minister.

(4) Any person who —

(a) takes part in or organises any public procession without the written permission of the Commissioner to do so; or

(b) who aids, abets, counsels or procures any other person to take part in any public procession in respect of which no written permission as required under this section has been obtained from the Commissioner,

is guilty of an offence.

Offence.

6. Any person taking part in any public procession otherwise than in accordance with the terms of a permit is guilty of an offence.

Power to prohibit
public meetings.

7. (1) The Minister may by Order prohibit during such periods as may be specified in the Order, the holding of any public meeting, if at any time it appears to the Minister that such action is necessary.

(2) The Order may extend to the whole State or to any specified part or parts thereof and may at any time be revoked.

Powers of the
Roseau City
Council in
abeyance.

(3) The powers of the Roseau City Council as regards street meetings shall be in abeyance so long as any Order issued under subsection (1) remains in force.

Offence.

(4) Any person holding or taking part in any public meeting contrary to any Order issued under subsection (1) is guilty of an offence.

Offensive
weapons at
public meetings
and public
processions
prohibited.

(5) Any person who, while present at a public meeting or on the occasion of any public procession, has with him any offensive weapon otherwise than in pursuance of lawful authority is guilty of an offence.

(6) For the purposes of this section, a person shall not be deemed to be acting in pursuance of lawful authority unless he is acting in his capacity as a servant of the State or of any local authority or as a

constable or as a member of a recognised corps or as a member of the Fire and Ambulance Services.

8. (1) Any person who at any public meeting or in any public procession uses threatening, abusive or insulting words or behaviour 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.

Prohibition of
offensive conduct
conclusive to
breaches of the
peace.
[33 of 1976].

(2) Any person who at a public meeting or in any public procession wears or carries any shirt, dress or garment or any banner, flag or emblem bearing threatening, abusive, insulting or obscene words or slogans, with intent to offend public morality or to provoke a breach of the peace, or whereby a breach of the peace is likely in the opinion of the Commissioner to be occasioned, is guilty of an offence.

9. (1) Any person who at a lawful public meeting acts in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together is guilty of an offence.

Endeavouring to
break up a
meeting.

(2) Any person who incites others to commit an offence under this section is guilty of a like offence.

10. Any person guilty of an offence against this Act is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for six months.

Penalty.
[35 of 1976
12 of 1990].