*Number* 2 *of* 1994

# CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994

**REVISED**

**Updated to 31 December 2024**

This Revised Act is an administrative consolidation of the *Criminal Justice (Public Order) Act 1994*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Family Courts Act 2024* (48/2024), enacted 13 November 2024, and all statutory instruments up to and including the *Physiotherapists Registration Board Application for Registration Bye-Law 2025* (S.I. No. 2 of 2025), made 7 January 2025, were considered in the preparation of this Revised Act.

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*Number* 2 *of* 1994

# CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994

**REVISED**

**Updated to 31 December 2024**

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*Number* 2 *of* 1994

# CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994

**REVISED**

**Updated to 31 December 2024**

AN ACT TO ABOLISH CERTAIN COMMON LAW OFFENCES RELATING TO PUBLIC ORDER AND TO PROVIDE CERTAIN STATUTORY OFFENCES RELATING TO PUBLIC ORDER IN LIEU THEREOF, TO PROVIDE FOR ADDITIONAL POWERS OF CROWD CONTROL BY MEMBERS OF THE GARDA SÍOCHÁNA IN, OR OF CONTROL BY SUCH MEMBERS OF ACCESS TO, THE VICINITY OF CERTAIN EVENTS AND TO PROVIDE FOR OFFENCES RELATING THERETO, TO PROVIDE FOR OTHER MATTERS RELATING TO PUBLIC ORDER AND TO FINES AND TERMS OF IMPRISONMENT IN RESPECT OF CERTAIN OFFENCES AND FOR THOSE AND OTHER PURPOSES TO AMEND THE CRIMINAL LAW AND ADMINISTRATION. [3*rd March*, 1994]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

**Annotations**

**Editorial Notes:**

**E1** Conviction of certain offences under ss. 4-8, 8A(4), 9 and ss. 14-19 excluded from exemption from disclosure by *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* (47/2012), s. 14A and sch. 3 as inserted (29.04.2016) by *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016), ss. 21, 29, S.I. No. 215 of 2016.

**E2** Sentences imposed for certain offences under ss. 4-8, 8A, 9 may be excluded from limitation of single offence to qualify for being regarded as spent, as provided (29.04.2016) by *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016), s. 5(3), (5), S.I. No. 215 of 2016.

**E3** A number of instruments refer to offences under this Act as disqualifying or potentially disqualifying offences, or as otherwise meriting certain treatment. They are:

- *Housing (Sale of Local Authority Houses) Regulations 2015* (S.I. No. 484 of 2015), reg. 7
- *Taxi Regulation Act 2013* (37/2013), ss. 30, 31 and sch. part 2 item 2
- *Housing (Incremental Purchase) Regulations 2010* (S.I. No. 252 of 2010), reg. 6
- *Criminal Justice Act 2007* (29/2007), ss. 25, 26 and sch. 2 para. 10

## PART I

### Preliminary and General

Short title, collective citation and commencement.

**1.**—(1) This Act may be cited as the Criminal Justice (Public Order) Act, 1994.

(2) The Vagrancy Acts, 1824 and 1988, and *section 12* may be cited together as the Vagrancy Acts, 1824 to 1994.

(3) This Act shall come into operation one month after its passing.

Interpretation (general).

**2.**—(1) A reference in this Act to a Part or to a section is a reference to a Part or section of this Act unless it is indicated that a reference to some other Act is intended.

(2) A reference in this Act to a subsection or to a paragraph is to the subsection or paragraph of the provision in which the reference occurs unless it is indicated that a reference to some other provision is intended.

## PART II

### Offences Relating to Public Order

Interpretation (*Part II*).

**3.**—In this Part, except where the context otherwise requires—

F1**[**"Act of 2024" means the Criminal Justice (Hate Offences) Act 2024;**]**

"dwelling" includes a building, vehicle or vessel ordinarily used for habitation;

F1**[**"hatred" has the meaning it has in section 2 of the Act of 2024;**]**

"private place" means a place that is not a public place;

F1**[**"protected characteristic" has the meaning it has in section 2 of the Act of 2024;**]**

"public place" includes—

(*a*) any highway,

(*b*) any outdoor area to which at the material time members of the public have or are permitted to have access, whether as of right or as a trespasser or otherwise, and which is used for public recreational purposes,

(*c*) any cemetery or churchyard,

(*d*) any premises or other place to which at the material time members of the public have or are permitted to have access, whether as of right or by express or implied permission, or whether on payment or otherwise, and

(*e*) any train, vessel or vehicle used for the carriage of persons for reward.

**Annotations**

**Amendments:**

**F1** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(a), S.I. No. 730 of 2024.

**Modifications (not altering text):**

**C1** Definition of "public place" construed (3.07.2021) by *Civil Law (Miscellaneous Provisions) Act 2021* (14/2021), s. 6, commenced as per s. 9(3).

**Application of Criminal Justice (Public Order) Act 1994**

**6.** For the avoidance of doubt, an outdoor seating area on private land is a public place for the purposes of the Criminal Justice (Public Order) Act 1994.

F2**[**Aggravation of certain offences by hatred.

**3A.**—(1) An offence committed by a person is aggravated by hatred for the purposes of *sections 6A*, *7A*, *11A* and *18A* if—

(*a*) where there is a specific victim of the offence—

(i) at the time of committing the offence, or immediately before or after doing so, the person demonstrates hatred towards the victim, and

(ii) the hatred is on account of the victim's membership or presumed membership of a group defined by reference to a protected characteristic,

or

(*b*) whether or not there is a specific victim of the offence, the offence is motivated (wholly or partly) by hatred towards a group of persons on account of the group being defined by reference to a protected characteristic.

(2) It is immaterial whether or not an accused person's hatred is also on account (to any extent) of any other factor.

(3) In this section—

"membership", in relation to a group, includes association with members of the group;

"presumed" means presumed by the person who commits an offence under *section 6A*, *7A*, *11A* or *18A*, as may be appropriate.**]**

**Annotations**

**Amendments:**

**F2** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(b), S.I. No. 730 of 2024.

Intoxication in public place.

**4.**—(1) It shall be an offence for any person to be present in any public place while intoxicated to such an extent as would give rise to a reasonable apprehension that he might endanger himself or any other person in his vicinity.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F3**[**€500**]**.

(3) Where a member of the Garda Síochána suspects, with reasonable cause, that an offence under this section or under *section 5* or *6* is being committed, the member concerned may seize, obtain or remove, without warrant, any bottle or container, together with its contents, which—

(*a*) is in the possession, in a place other than a place used as a dwelling, of a person by whom such member suspects the offence to have been committed, and

(*b*) such member suspects, with reasonable cause, contains an intoxicating substance:

Provided that, in the application of this subsection to *section 5* or *6*, any such bottle or container, together with its contents, may only be so seized, obtained or removed where the member of the Garda Síochána suspects, with reasonable cause, that the bottle or container or its contents, is relevant to the offence under *section 5* or *6* which the member suspects is being committed.

(4) In this section—

F4**[**"bottle or container" means a bottle or container irrespective of whether—

(*a*) the bottle or container is opened or unopened, and

(*b*) any or all of the contents of the bottle or container have been or are being consumed,

and includes the contents of the bottle or container, but does not include a bottle or container for a substance which is in the possession of the person concerned for a purpose other than the intoxication of that or any other person; **]**

"intoxicated" means under the intoxicating influence of any alcoholic drink, drug, solvent or other substance or a combination of substances and cognate words shall be construed accordingly.

**Annotations**

**Amendments:**

**F3** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €500 translates into a class E fine, not greater than €500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F4** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 18, S.I. No. 286 of 2008.

**Editorial Notes:**

**E4** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

F5**[**Extension of custody of intoxicated person by An Garda Síochána for reasons of safety

**4A.**—(1) (*a*) Where a person—

(i) is in custody in a Garda Síochána station having been arrested under *section 24* or for the offence at common law of breach of the peace, and

(ii) is, but for this section, to be released from custody,

he or she may, if the member of the Garda Síochána for the time being in charge of the Garda Síochána station is of opinion that the person is intoxicated to such an extent as would give rise to a reasonable apprehension that the person might endanger himself or herself or other persons, be detained in custody for such period, not exceeding 6 hours from the time of his or her arrest, as the member of the Garda Síochána so in charge remains of that opinion.

(2) Where the member of the Garda Síochána for the time being in charge of the Garda Síochána station is of opinion that the person detained under *subsection (1)* is under the age of 18 years, the member shall, upon the attendance at the station of a parent or guardian of the person or of a person reasonably named by the person so detained, release the person into the custody of the parent or guardian or the person reasonably named, unless the member is of opinion that the person continues to be intoxicated to such an extent that, if so released, he or she will continue to give rise to a reasonable apprehension that he or she might endanger himself or herself or other persons.

(3) Nothing in this section shall affect the operation of section 15 of the Criminal Justice Act 1951 (Proceedings on arrest) or section 53 of the Children Act 2001 (Duty of Garda Síochána in relation to certain under-age children).

(4) In this section "intoxicated " has the same meaning as it has in *section 4*.**]**

**Annotations**

**Amendments:**

**F5** Inserted (14.08.2017) by *Criminal Justice Act 2017* (14/2017), s. 3, S.I. No. 359 of 2017.

**Editorial Notes:**

**E5** The section heading is taken from the content of the section in the absence of one included in the amendment.

Disorderly conduct in public place.

**5.**—(1) It shall be an offence for any person in a public place to engage in offensive conduct—

(*a*) between the hours of 12 o'clock midnight and 7 o'clock in the morning next following, or

(*b*) at any other time, after having been requested by a member of the Garda Síochána to desist.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F6**[**€1,000**]**.

(3) In this section "offensive conduct" means any unreasonable behaviour which, having regard to all the circumstances, is likely to cause serious offence or serious annoyance to any person who is, or might reasonably be expected to be, aware of such behaviour.

**Annotations**

**Amendments:**

**F6** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E6** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

Threatening, abusive or insulting behaviour in public place.

**6.**—(1) It shall be an offence for any person in a public place to use or engage in any threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace may be occasioned.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F7**[**€1,000**]** or to imprisonment for a term not exceeding 3 months or to both.

**Annotations**

**Amendments:**

**F7** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E7** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

**E8** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

F8**[**Threatening, abusive or insulting behaviour in public place aggravated by hatred.

**6A.**—(1) A person shall be guilty of an offence under this section if he or she commits an offence under *section 6* which is aggravated by hatred for the purposes of this section.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a class C fine or to imprisonment for a term not exceeding 6 months or to both.

(3) A person charged with an offence under this section may, if the evidence does not warrant conviction for an offence under this section, be found guilty of an offence under *section 6*.**]**

**Annotations**

**Amendments:**

**F8** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(c), S.I. No. 730 of 2024. A class C fine means a fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(1), S.I. No. 662 of 2010.

Distribution or display in public place of material which is threatening, abusive, insulting or obscene.

**7.**—(1) It shall be an offence for any person in a public place to distribute or display any writing, sign or visible representation which is threatening, abusive, insulting or obscene with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace may be occasioned.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F9**[**€1,000**]** or to imprisonment for a term not exceeding 3 months or to both.

**Annotations**

**Amendments:**

**F9** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and schedule 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E9** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

F10**[**Distribution or display in public place of material which is threatening, abusive, insulting or obscene aggravated by hatred.

**7A.**—(1) A person shall be guilty of an offence under this section if he or she commits an offence under *section 7* which is aggravated by hatred for the purposes of this section.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a class C fine or to imprisonment for a term not exceeding 6 months or to both.

(3) A person charged with an offence under this section may, if the evidence does not warrant conviction for an offence under this section, be found guilty of an offence under *section 7*.**]**

**Annotations**

**Amendments:**

**F10** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(d), S.I. No. 730 of 2024. A class C fine means a fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(1), S.I. No. 662 of 2010.

Failure to comply with direction of member of Garda Síochána.

**8.**—(1) Where a member of the Garda Síochána finds a person in a public place and suspects, with reasonable cause, that such person—

(*a*) is or has been acting in a manner contrary to the provisions of *section 4*, *5*, *6*, *7* or *9*, or

(*b*) without lawful authority or reasonable excuse, is acting in a manner which consists of loitering in a public place in circumstances, which may include the company of other persons, that give rise to a reasonable apprehension for the safety of persons or the safety of property or for the maintenance of the public peace,

the member may direct the person so suspected to do either or both of the following, that is to say:

(i) desist from acting in such a manner, and

(ii) leave immediately the vicinity of the place concerned in a peaceable or orderly manner.

F11**[**(1A) In *subsection (1)(a)*, the reference to a person acting in a manner contrary to the provisions of *section 6* or *7* shall include a reference to a person acting in a manner contrary to the provisions of the section concerned when aggravated by hatred for the purposes of *section 6A* or *7A*, as may be appropriate.**]**

(2) It shall be an offence for any person, without lawful authority or reasonable excuse, to fail to comply with a direction given by a member of the Garda Síochána under this section.

(3) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F12**[**€1,000**]** or to imprisonment for a term not exceeding 6 months or to both.

**Annotations**

**Amendments:**

**F11** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(e), S.I. No. 730 of 2024.

**F12** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E10** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

**E11** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

F13[Power to direct persons who are in possession of intoxicating substances, etc.

**8A.**—(1) This section applies where a member of the Garda Síochána believes with reasonable cause that—

(*a*) a person is in a relevant place alone or accompanied by other persons,

(*b*) a bottle or container which contains an intoxicating substance is in the possession of the relevant person, and

(*c*) the relevant person is acting in that place, or the relevant person and some or all of the accompanying persons are acting in that place, in a manner that—

(i) gives rise to a reasonable apprehension for the safety of persons or the safety of property or for the maintenance of the public peace, or

(ii) is causing, or gives rise to a reasonable apprehension is likely to cause, annoyance and nuisance to another person or persons or interference with that other person's or persons' peaceful possession and enjoyment by that other person or persons of his or her, or their, as the case may be, property.

(2) Where this section applies, the member may—

(*a*) seek an explanation from the relevant person as to all or any of the matters to which the relevant belief relates, and

(*b*) do one or more of the following, if the relevant person fails or refuses to give such an explanation or if such an explanation is given, and in either case the member remains of the relevant belief:

(i) request the relevant person to immediately give the bottle or container to the member (or to another member of the Garda Síochána accompanying the member) and at the same time as the request is made give to the relevant person a warning in ordinary language that a failure or refusal to comply with the request may lead to the seizure of the bottle or container or to his or her arrest or to both (or words to the like effect);

(ii) if the relevant person fails or refuses to comply with the request, seize, detain and remove, without warrant, the bottle or container with the use, if necessary, of such force as is reasonable in the circumstances;

(iii) direct the relevant person and, if appropriate, some or all of the accompanying persons, to desist from acting in the manner referred to in *paragraph (c)* of *subsection (1)*;

(iv) direct the relevant person and, if appropriate, some or all of the accompanying persons, to leave immediately the place in a peaceable or orderly manner;

(v) request the relevant person to provide the member with his or her name and address.

(3) Where—

(*a*) a person fails or refuses to comply with a request made by the member under *subparagraph (i)* or *(v)* of *paragraph (b)* of *subsection (2)*,

(*b*) a person fails or refuses to comply with a direction given by the member under *subparagraph (iii)* or *(iv)* of *paragraph (b)* of *subsection (2)*, or

(*c*) the member has reasonable grounds for believing that the name or address provided to the member, in compliance with a request made by the member under *subparagraph (v)* of *paragraph (b)* of *subsection (2)*, is false or misleading,

the member may arrest such person without warrant.

(4) A person who—

(*a*) fails or refuses to comply with a request made by the member under *subparagraph (i)* or *(v)* of *paragraph (b)* of *subsection (2)*, or

(*b*) in purported compliance with a request made by the member under *subparagraph (v)* of *paragraph (b)* of *subsection (2)*, provides to the member a name or address which is false or misleading,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €500.

(5) It shall be an offence for any person, without lawful authority or reasonable excuse, to fail to comply with a direction given by the member under *subparagraph (iii)* or *(iv)* of *paragraph (b)* of *subsection (2)*.

(6) A person who is guilty of an offence under *subsection (5)* shall be liable on summary conviction to a fine not exceeding €1,000.

(7) Where the member or another member of the Garda Síochána has been given, or has seized, detained and removed, a bottle or container pursuant to this section, the member shall—

(*a*) dispose of the bottle or container in such manner as he or she considers appropriate, and

(*b*) make and retain, or cause to be made and retained, a record in writing of the manner, date and place of such disposal.

(8) Nothing in this section shall prejudice the operation of the other provisions of this Act or of the Criminal Justice (Public Order) Act 2003.

(9) In this section—

"bottle or container" means a bottle or container irrespective of whether—

(*a*) the bottle or container is opened or unopened, and

(*b*) any or all of the contents of the bottle or container have been or are being consumed,

and includes the contents of the bottle or container;

"relevant belief", in relation to a member of the Garda Síochána, means the belief referred to in *subsection (1)* of the member;

"relevant person" means the person first-mentioned in *paragraph (a)* of *subsection (1)*;

"relevant place" means a place other than a place used as a private dwelling.**]**

**Annotations**

**Amendments:**

**F13** Inserted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 19, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

F14**[**Power of entry for purposes of *section 8A*, etc.

**8B.**—A member of the Garda Síochána may enter without warrant a place other than a place used as a private dwelling if the member has reasonable grounds for believing that—

(*a*) the matters specified in *paragraphs (a), (b)* and *(c)* of *subsection (1)* of *section 8A*, or

(*b*) the matters specified in *paragraphs (a), (b)* and *(c)* of *subsection (1)* of *section 37A* (inserted by *section 14* of the *Intoxicating Liquor Act 2008*),

are occurring in such place.**]**

**Annotations**

**Amendments:**

**F14** Inserted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 19, S.I. No. 286 of 2008.

Wilful obstruction.

**9.**—Any person who, without lawful authority or reasonable excuse, wilfully prevents or interrupts the free passage of any person or vehicle in any public place shall be liable on summary conviction to a fine not exceeding F15**[**€400**]**.

**Annotations**

**Amendments:**

**F15** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €400 translates into a class E fine, not greater than €500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 8(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E12** Persons convicted of offence under section may be subject to exclusion order as provided (28.06.2003) by *Criminal Justice (Public Order) Act 2003* (16/2003), s. 3(1), commenced as per s. 1(7).

F16**[**Failure to comply with direction of member of Garda Síochána with regard to court proceedings

**9A.**—(1) Where a member of the Garda Síochána finds a person in a place where any court proceedings take, or are taking, place before a judge or a court officer and he or she suspects, with reasonable cause, that the person, whether alone or in the company of other persons, is—

(*a*) without lawful authority or reasonable excuse wilfully interfering with or obstructing—

(i) the conduct of the proceedings, or

(ii) witnesses or other persons connected with the proceedings, or

(*b*) acting in a manner which gives rise to a reasonable apprehension for the safety of persons or the safety of property or for the maintenance of the public peace, the member may direct the person so suspected to do either or both of the following:

(i) desist from acting in such a manner;

(ii) leave immediately the vicinity of the place concerned in a peaceable and orderly manner.

(2) It shall be an offence for any person, without lawful authority or reasonable excuse, to fail to comply with a direction given by a member of the Garda Síochána under this section.

(3) A person who is guilty of an offence under this section shall be liable on summary conviction to a class D fine or to imprisonment for a term not exceeding 6 months or to both.

(4) This section is without prejudice to the power of the court in respect of the matters to which this section relates.

(5) In this section, "court officer" means a Master of the High Court, Taxing Master or County Registrar.**]**

**Annotations**

**Amendments:**

**F16** Inserted (1.11.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63(a), S.I. No. 525 of 2023, art. 3(g). A class D fine means a fine not greater than €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(1), S.I. No. 662 of 2010.

Increase of penalty for common assault, etc.

**10.**—The Criminal Justice Act, 1951, is hereby amended by the substitution for subsection (2) of section 11 of the following:

"(2) A person convicted of common assault or battery shall be liable to a fine not exceeding £1,000 or, at the discretion of the Court, imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.".

**Annotations**

**Editorial Notes:**

**E13** *Criminal Justice Act 1951* (2/1951), s. 11 was repealed (19.08.1997) by *Non-Fatal Offences Against the Person Act 1997* (26/1997), s. 31 and sch., commenced as per s. 32(2).

Entering building, etc., with intent to commit an offence.

**11.**—(1) It shall be an offence for a person—

(*a*) to enter any building or the curtilage of any building or any part of such building or curtilage as a trespasser, or

(*b*) to be within the vicinity of any such building or curtilage or part of such building or curtilage for the purpose of trespassing thereon,

in circumstances giving rise to the reasonable inference that such entry or presence was with intent to commit an offence or with intent to unlawfully interfere with any property situate therein.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F17**[**€2,500**]** or to imprisonment for a term not exceeding 6 months or to both.

**Annotations**

**Amendments:**

**F17** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €2,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E14** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

F18**[**Entering building, etc., with intent to commit an offence aggravated by hatred.

**11A.**—(1) A person shall be guilty of an offence under this section if he or she commits an offence under *section 11* which is aggravated by hatred for the purposes of this section.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a class B fine or to imprisonment for a term not exceeding 9 months or to both.

(3) A person charged with an offence under this section may, if the evidence does not warrant conviction for an offence under this section, be found guilty of an offence under *section 11*.**]**

**Annotations**

**Amendments:**

**F18** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(f), S.I. No. 730 of 2024. A class B fine means a fine not greater than €4,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3 and 5(1), S.I. No. 662 of 2010.

Amendment of Vagrancy Act, 1824.

**12.**—Section 4 (as applied to Ireland by the Prevention of Crimes Act, 1871) of the Vagrancy Act, 1824, is hereby amended by the deletion of "every person being found in or upon any dwelling house, warehouse, coach-house, stable, or outhouse, or in any enclosed yard, garden or area, for any unlawful purpose;".

Trespass on building, etc.

**13.**—(1) It shall be an offence for a person, without reasonable excuse, to trespass on any building or the curtilage thereof in such a manner as causes or is likely to cause fear in another person.

(2) (*a*) Where a member of the Garda Síochána finds a person in a place to which *subsection (1)* relates and suspects, with reasonable cause, that such person is or has been acting in a manner contrary to the provisions of that subsection, then the member may direct the person so suspected to do either or both of the following, that is to say:

(i) desist from acting in such a manner, and

(ii) leave immediately the vicinity of the place concerned in a peaceable or orderly manner.

(*b*) It shall be an offence for any person, without lawful authority or reasonable excuse, to fail to comply with a direction given by a member of the Garda Síochána under this section.

(3) (*a*) A person who is guilty of an offence under *subsection (1)* shall be liable on summary conviction to a fine not exceeding F19**[**€2,500**]** or to imprisonment for a term not exceeding 12 months or to both.

(*b*) A person who is guilty of an offence under *subsection (2)* shall be liable on summary conviction to a fine not exceeding F20**[**€1,000**]** or to imprisonment for a term not exceeding 6 months or to both.

**Annotations**

**Amendments:**

**F19** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €2,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F20** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E15** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

Riot.

**14.**—(1) Where—

(*a*) 12 or more persons who are present together at any place (whether that place is a public place or a private place or both) use or threaten to use unlawful violence for a common purpose, and

(*b*) the conduct of those persons, taken together, is such as would cause a person of reasonable firmness present at that place to fear for his or another person's safety,

then, each of the persons using unlawful violence for the common purpose shall be guilty of the offence of riot.

(2) For the purposes of this section—

(*a*) it shall be immaterial whether or not the 12 or more persons use or threaten to use unlawful violence simultaneously at any place;

(*b*) the common purpose may be inferred from conduct;

(*c*) no person of reasonable firmness need actually be, or be likely to be, present at that place.

(3) A person guilty of an offence of riot shall be liable on conviction on indictment to a fine or to imprisonment for a term not exceeding 10 years or to both.

(4) The common law offence of riot is hereby abolished.

**Annotations**

**Editorial Notes:**

**E16** Offences under section deemed "serious offences" for the purpose of refusal of bail (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1, 2 and sch. paras. 28, 29, 30, S.I. No. 315 of 1998.

Violent disorder.

**15.**—(1) Where—

(*a*) three or more persons who are present together at any place (whether that place is a public place or a private place or both) use or threaten to use unlawful violence, and

(*b*) the conduct of those persons, taken together, is such as would cause a person of reasonable firmness present at that place to fear for his or another person's safety,

then, each of the persons using or threatening to use unlawful violence shall be guilty of the offence of violent disorder.

(2) For the purposes of this section—

(*a*) it shall be immaterial whether or not the three or more persons use or threaten to use unlawful violence simultaneously;

(*b*) no person of reasonable firmness need actually be, or be likely to be, present at that place.

(3) A person shall not be convicted of the offence of violent disorder unless the person intends to use or threaten to use violence or is aware that his conduct may be violent or threaten violence.

(4) A person guilty of an offence of violent disorder shall be liable on conviction on indictment to a fine or to imprisonment for a term not exceeding 10 years or to both.

(5) A reference, however expressed, in any enactment passed before the commencement of this Act—

(*a*) to the common law offence of riot, or

(*b*) to the common law offence of riot and to tumult,

shall be construed as a reference to the offence of violent disorder.

(6) The common law offence of rout and the common law offence of unlawful assembly are hereby abolished.

**Annotations**

**Editorial Notes:**

**E17** Offences under section deemed "serious offences" for the purpose of refusal of bail (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1, 2 and sch. paras. 28, 29, 30, S.I. No. 315 of 1998.

Affray.

**16.**—(1) Where—

(*a*) two or more persons at any place (whether that place is a public place or a private place or both) use or threaten to use violence towards each other, and

(*b*) the violence so used or threatened by one of those persons is unlawful, and

(*c*) the conduct of those persons taken together is such as would cause a person of reasonable firmness present at that place to fear for his or another person's safety,

then, each such person who uses or threatens to use unlawful violence shall be guilty of the offence of affray.

(2) For the purposes of this section—

(*a*) a threat cannot be made by words alone;

(*b*) no person of reasonable firmness need actually be, or be likely to be, present at the place where the use or threat of violence occurred.

(3) A person shall not be convicted of the offence of affray unless the person intends to use or threaten to use violence or is aware that his conduct may be violent or threaten violence.

(4) A person guilty of an offence of affray shall be liable—

(*a*) on summary conviction to a fine not exceeding F21**[**€1,000**]** or to imprisonment for a term not exceeding 12 months or to both,

(*b*) on conviction on indictment to a fine or to imprisonment for a term not exceeding 5 years or to both.

(5) The common law offence of affray is hereby abolished.

**Annotations**

**Amendments:**

**F21** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

**Editorial Notes:**

**E18** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

**E19** Offences under section deemed "serious offences" for the purpose of refusal of bail (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1, 2 and sch. paras. 28, 29, 30, S.I. No. 315 of 1998.

Blackmail, extortion and demanding money with menaces.

**17.**—(1) It shall be an offence for any person who, with a view to gain for himself or another or with intent to cause loss to another, makes any unwarranted demand with menaces.

(2) For the purposes of this section—

(*a*) a demand with menaces shall be unwarranted unless the person making it does so in the belief—

(i) that he has reasonable grounds for making the demand, and

(ii) that the use of the menaces is a proper means of reinforcing the demand;

(*b*) the nature of the act or omission demanded shall be immaterial and it shall also be immaterial whether or not the menaces relate to action to be taken by the person making the demand.

(3) A person guilty of an offence under this section shall be liable—

(*a*) on summary conviction to a fine not exceeding F22**[**€2,500**]** or to imprisonment for a term not exceeding 12 months or to both,

(*b*) on conviction on indictment to a fine or to imprisonment for a term not exceeding 14 years or to both.

**Annotations**

**Amendments:**

**F22** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008.

**Editorial Notes:**

**E20** Minimum sentences for certain offences under section prescribed (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 25 and sch. 2 para. 10, S.I. No. 236 of 2007. A fine of €2,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

**E21** Monitoring order or protection of persons order may be made where person convicted of offence under section as provided (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 26 and sch. 2 para. 10, S.I. No. 236 of 2007.

**E22** Related offence (being in possession of article to be used in relation to offence under section) created (1.08.2002) by *Criminal Justice (Theft and Fraud Offences) Act 2001* (50/2001), s. 15, S.I. No. 252 of 2002.

Assault with intent to cause bodily harm or commit indictable offence.

**18.**—(1) Any person who assaults any person with intent to cause bodily harm or to commit an indictable offence shall be guilty of an offence.

(2) A person guilty of an offence under this section shall be liable—

(*a*) on summary conviction, to a fine not exceeding F23**[**€2,500**]** or to imprisonment for a term not exceeding 12 months or to both,

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 5 years or to both.

**Annotations**

**Amendments:**

**F23** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008.

**Editorial Notes:**

**E23** Offences under section to result in mandatory disqualification for holding of public service vehicle licence for certain periods as provided (6.04.2014) by *Taxi Regulation Act 2013* (37/2013), s. 30 and sch., S.I. No. 163 of 2014.

**E24** Offences under section deemed "serious offences" for the purpose of refusal of bail (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1, 2 and sch. paras. 8(a), 29, 30, S.I. No. 315 of 1998.

F24**[**Assault with intent to cause bodily harm or commit indictable offence aggravated by hatred.

**18A.**—(1) A person shall be guilty of an offence under this section if he or she commits an offence under *section 18* which is aggravated by hatred for the purposes of this section.

(2) A person guilty of an offence under this section shall be liable—

(*a*) on summary conviction, to a class B fine or to imprisonment for a term not exceeding 12 months or to both, or

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 7 years or to both.

(3) A person charged with an offence under this section may, if the evidence does not warrant conviction for an offence under this section, be found guilty of an offence under *section 18*.**]**

**Annotations**

**Amendments:**

**F24** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(g), S.I. No. 730 of 2024.

Assault or obstruction of peace officer.

F25**[19.**—(1) Any person who assaults or threatens to assault—

(*a*) a person providing medical services at or in a hospital, or

(*b*) a person assisting such a person, or

(*c*) a peace officer acting in the execution of a peace officer's duty, knowing that he or she is, or being reckless as to whether he or she is, a peace officer so acting, or

(*d*) any other person acting in aid of a peace officer, or

(*e*) any other person with intent to resist or prevent the lawful apprehension or detention of himself or herself or any other person for any offence,

shall be guilty of an offence. **]**

(2) A person guilty of an offence under *subsection (1)* shall be liable—

(*a*) having elected for summary disposal of the offence, on summary conviction, to a fine not exceeding F26**[**€5,000**]** or to imprisonment for a term not exceeding 12 months, or to both,

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding F27**[**12 years**]** or to both.

F28**[**(3) Any person who resists or wilfully obstructs or impedes—

(*a*) a person providing medical services at or in a hospital, knowing that he or she is, or being reckless as to whether he or she is, a person providing medical services, or

(*b*) a person assisting such a person, or

(*c*) a peace officer acting in the execution of a peace officer's duty, knowing that he or she is or being reckless as to whether he or she is, a peace officer so acting, or

(*d*) a person assisting a peace officer in the execution of his or her duty,

shall be guilty of an offence.**]**

(4) A person guilty of an offence under *subsection (3)* shall be liable on summary conviction to a fine not exceeding F29**[**€2,500**]** or to imprisonment for a term not exceeding 6 months or to both.

(5) The provisions of this section are in addition to and not in substitution of any provision in any other enactment relating to assault or obstruction of a peace officer.

(6) In this section—

F30**[**"hospital" includes the lands, buildings and premises connected with and used wholly or mainly for the purposes of a hospital; **]**

F30**[**"medical services" means services provided by—

(*a*) doctors, dentists, psychiatrists, nurses, midwives, pharmacists, health and social care professionals (within the meaning of the Health and Social Care Professionals Act 2005) or other persons in the provision of treatment and care for persons at or in a hospital, or

(*b*) persons acting under direction of those persons;**]**

"peace officer" means a member of the Garda Síochána, a prison officer F31**[**, a member of the fire brigade, ambulance personnel**]** or a member of the Defence Forces;

"prison" means any place for which rules or regulations may be made under the Prisons Acts, 1826 to 1980, section 7 of the Offences against the State (Amendment) Act, 1940, section 233 of the Defence Act, 1954, section 2 of the Prisoners of War and Enemy Aliens Act, 1956, or section 13 of the Criminal Justice Act, 1960;

F32**[**"prison officer" includes any member of the staff of a prison and any person having the custody of, or having duties relating to the custody of, a person in relation to whom an order of a court committing that person to a prison is for the time being in force;**]**

**Annotations**

**Amendments:**

**F25** Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(a), S.I. No. 390 of 2006.

**F26** Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2008), s. 185(d), S.I. No. 390 of 2006. A fine of €5,000 translates into a class A fine, not greater than €5,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F27** Substituted (1.11.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63(b), S.I. No. 525 of 2023, art. 3(g).

**F28** Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(c), S.I. No. 390 of 2006.

**F29** Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(d), S.I. No. 390 of 2006. A fine of €2,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F30** Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(e)(i), S.I. No. 390 of 2006.

**F31** Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(e)(ii), S.I. No. 390 of 2006.

**F32** Substituted (1.05.2007) by *Prisons Act 2007* (10/2007), s. 41(4), S.I. No. 180 of 2007.

**Editorial Notes:**

**E25** Offences under section to result in mandatory disqualification for holding of public service vehicle licence for certain periods as provided (6.04.2014) by *Taxi Regulation Act 2013* (37/2013), s. 30 and sch., S.I. No. 163 of 2014.

**E26** Persons convicted of offence under section may be subject to restriction on movement orders as provided (2.10.2006) by *Criminal Justice Act 2006* (26/2006), s. 101 and sch. 3 para. 1, S.I. No. 390 of 2006.

**E27** Offences under section deemed "serious offences" for the purpose of refusal of bail (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1, 2 and sch. paras. 28, 29, 30, S.I. No. 315 of 1998.

**E28** Previous affecting provision: subs. (2)(b) amended (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 185(b), S.I. No. 390 of 2006; substituted (1.11.2023) as per F-note above.

## F33[PART IIA

## Offences Relating to Entering and Occupying Land Without Consent]

F33[Interpretation (*Part IIA*).

**19A.**—(1) In this Part, except where the context otherwise requires—

"Commissioner" means the Commissioner of the Garda Síochána;

"consent duly given" means consent given by—

(*a*) in the case of lands referred to in *subsection (2)(a)*, the relevant statutory body,

(*b*) in the case of lands referred to in *subsection (2)(b)*, the relevant trustees, and

(*c*) in any other case, the owner concerned;

"health board" means

(*a*) a health board established under the Health Act, 1970,

(*b*) the Eastern Regional Health Authority, or

(*c*) an Area Health Board established under the Health (Eastern Regional Health Authority) Act, 1999;

F34["local authority" means a local authority for the purposes of the Local Government Act 2001 (as amended by the Local Government Reform Act 2014);]

"object" includes any temporary dwelling (within the meaning of section 69 of the Roads Act, 1993) and an animal of any kind or description;

"owner" means—

(*a*) in relation to land, the person lawfully entitled—

(i) to possession, and

(ii) to the immediate use and enjoyment,

of the land as the owner, lessee, ten-and or otherwise, or any person acting on behalf of that person;

(*b*) in relation to land referred to in *paragraph (a)* or *(b)* of *subsection (2)*, the relevant statutory body or trustees, as the case may be;

"statutory body" means—

(*a*) a Minister of the Government,

(*b*) the Commissioners of Public Works in Ireland,

(*c*) a local authority,

(*d*) a harbour authority within the meaning of the Harbours Act, 1946, or a company established pursuant to section 7 of the Harbours Act, 1996,

(*e*) a health board,

F35**[** (*f*) an education and training board,**]**

(*g*) any other body established—

(i) by or under any enactment (other than the Companies Acts, 1963 to 2001), or

(ii) under the Companies Acts, 1963 to 2001, in pursuance of powers conferred by or under another enactment,

and financed wholly or partly by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or the issue of shares held by or on behalf of a Minister of the Government, and subsidiary of any such body.

(2) In this part a reference to land includes—

(*a*) land provided or maintained by a statutory body primarily for the amenity or recreation of the public or any class of persons (including any park, open space, car park, playing field or other space provided for recreational, community or conservation purposes) or is land within the curtilage of any public building,

(*b*) land held by trustees for the benefit of the public or any class of the public, and

(*c*) land covered by water.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

**F34** Substituted (1.06.2014) by *Local Government Reform Act 2014* (1/2014), s. 5(8) and sch. 2 part 6, S.I. 214 of 2014.

**F35** Substituted (1.07.2013) by *Education and Training Boards Act 2013* (11/2013), s. 72(1) and sch. 6 item 14, S.I. No. 211 of 2013.

F33**[**Extent of application (*Part IIA*), etc.

**19B.**—(1) This Part does not apply to any public road within the meaning of the Roads Act, 1993.

(2) This Part is without prejudice to any other enactment (including any other provision of this Act) or any rule of law.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

F33[Entry on and occupation of land or bringing onto or placing an object on land without consent.

**19C.**—(1) A person, without the duly given consent of the owner, shall not—

(*a*) enter and occupy any land, or

(*b*) bring onto or place on any land any object,

where such entry or occupation or the bringing onto or placing on the land of such object is likely to—

(i) substantially damage the land,

(ii) substantially and prejudicially affect any amenity in respect of the land,

(iii) prevent persons entitled to use the land or any amenity in respect of the land from making reasonable use of the land or amenity,

(iv) otherwise render the land or any amenity in respect of the land, or the lawful use of the land or any amenity in respect of the land, unsanitary or unsafe,

(v) substantially interfere with the land, any amenity in respect of the land, the lawful use of the land or any amenity in respect of the land.

(2) A person who contravenes *subsection (1)* shall be guilty of an offence.

(3) Where a member of the Garda Síochána has reason to believe that a person is committing or has committed an offence under *subsection (1)* the member—

(*a*) may demand of the person his or her name and address,

(*b*) may direct the person to leave the land concerned and to remove from the land any object that belongs to the person or that is under his or her control, and

(*c*) shall inform the person of the nature of the offence in respect of which it is suspected that person has been involved and the statutory consequences of failing to comply with a demand or direction under this subsection.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

F33[Refusing or failing to give name or address or failure to comply with direction.

**19D.**—Where a person—

(*a*) refuses or fails to give his or her name and address to a member of the Garda Síochána when demanded under *section 19C,* or gives to the member a name or address that is false or misleading, or

(*b*) fails to comply with a direction under that section,

he or she shall be guilty of an offence.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

F33**[**Arrest without warrant.

**19E.**—A member of the Garda Síochána may arrest without warrant a person—

(*a*) who fails or refuses to give his or her name and address when demanded under *section 19C(3)(a)* or gives a name or address which the member has reasonable grounds for believing is false or misleading,

(*b*) who fails to comply with a direction given under section *19C(3)(b)*, or

(*c*) whom the member finds committing an offence under section *19C(1).***]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

F33**[**Removal, storage and disposal of object.

**19F.**—(1) Where a person fails to comply with a direction under *section 19C(3)(b)*, a member of the Garda Síochána may remove or cause to be removed any object which the member has reason to believe was brought onto or placed on the land in contravention of *section 19C(1)* and may store or cause to be stored such object so removed.

(2) Any person who obstructs or impedes or assists a person to obstruct or impede a member of the Garda Síochana in the execution of his or her duty under this section shall be guilty of an offence.

(3) Where an object has been removed under this section without the presence or knowledge of any person claiming to own, occupy, control or otherwise retain it, the Commissioner shall serve or cause to be served upon each such person whose name and address can be ascertained by reasonable enquiry, a notice informing the person where the object may be claimed and recovered, requiring the person to claim and recover it within one month of the date of service of the notice and informing him or her of the statutory consequences of his or her failure to do so.

(4) An object removed and stored under this section shall be given to a person claiming possession of the object if, but only if, he or she makes a declaration in writing that he or she is the owner of the object or is authorised by its owner to claim it or is, for a specified reason, otherwise entitled to possession of it and, at the discretion of the Commissioner, the person pays the amount of any expenditure reasonably incurred in removing and storing the object.

(5) The Commissioner may dispose of, or cause to be disposed of, an object removed and stored under this section if—

(*a*) the owner of the object fails to claim it and remove it from the place where it is stored within one month of the date on which a notice under *subsection (3)* was served on him or her, or

(*b*) the name and address of the owner of the object cannot be ascertained by reasonable enquiry.

(6) Where the Commissioner becomes entitled to dispose of or cause to be disposed of an object under *subsection (5)* and the object is, in his or her opinion, capable of being sold, the Commissioner shall be entitled to sell or cause to be sold the object for the best price reasonably obtainable and upon doing so shall pay or cause to be paid to the person who was the owner of the object at the time of its removal, where the name and address of the owner can be ascertained by reasonable enquiry, a sum equal to the proceeds of such sale after deducting therefrom any expenditure reasonably incurred in its removal, storage and sale.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

F33**[**Penalties and proceedings.

**19G.**—(1) A person guilty of an offence under this Part shall be liable on summary conviction to a fine not exceeding F36**[**€4,000**]** or to a term of imprisonment not exceeding one month or to both.

(2) In any proceedings for an offence under this Part it shall be presumed until the contrary is shown that consent under this Part was not given.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002. A fine of €4,000 translates into a class B fine, not greater than €4,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F36** substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008.

F33**[**Jurisdiction of District Court.

**19H.**—(1) Notwithstanding any statutory provision or rule of law to the contrary, the jurisdiction of the District Court shall not, in summary proceedings in relation to an offence under this Part, be ousted by reason solely of a question of title to land being brought into issue.

(2) Where in summary proceedings in relation to an offence under this Part a question of title to land is brought into issue, the decision of a justice of the District Court in the proceedings or on the question shall not operate as an estoppel in, or a bar to, proceedings in any court in relation to the land.**]**

**Annotations**

**Amendments:**

**F33** Inserted (27.06.2002) by *Housing (Miscellaneous Provisions) Act 2002* (9/2002), s. 24, S.I. No. 329 of 2002.

## PART III

### Crowd Control at Public Events

Interpretation (*Part III*).

**20.**—In this Part—

"container" does not include a container for any medicinal product;

"disposable container" includes—

(*a*) any bottle, can or other portable container or any part thereof (including any crushed or broken portable container or part thereof) for holding any drink which, when empty, is of a kind normally discarded or returned to, or left to be recovered by, the supplier, and

(*b*) any crate or packaging designed to hold more than one such bottle, can or other portable container;

"event" has the meaning assigned to it by *section 21 (1)*;

"intoxicating liquor" includes any container containing intoxicating liquor, whether or not a disposable container.

Control of access to certain events, etc.

**21.**—(1) If it appears to a member of the Garda Síochána not below the rank of superintendent that it is necessary in the interests of safety or for the purpose of preserving order to restrict the access of persons to a place where an event is taking or is about to take place which attracts, or is likely to attract, a large assembly of persons (in this Part referred to as the "event"), he may authorise any member of the Garda Síochána to erect or cause to be erected a barrier or a series of barriers on any road, street, lane, alley or other means of access to such a place in a position not more than one mile therefrom for the purpose of regulating the access of persons or vehicles thereto.

(2) Where a barrier has been erected in accordance with *subsection (1)*, a member of the Garda Síochána in uniform may by oral or manual direction or by the exhibition of any notice or sign, or any combination thereof—

(*a*) divert persons generally or particularly and whether in or on vehicles or on foot to another means of access to the event, including a means of access to that event on foot only, or

(*b*) where possession of a ticket is required for entrance to the event, prohibit a person whether in or on vehicles or on foot from crossing or passing the barrier towards the event where the person has no such ticket, or

(*c*) indicate that to proceed beyond the barrier while in possession of any intoxicating liquor, disposable drinks container or offensive article will render such liquor, container or article liable to confiscation.

(3) A member of the Garda Síochána shall not prohibit a person from crossing or passing a barrier erected under this section save for the purpose of diverting the person to another means of access to the event, if it appears to the member that the person is seeking to do so for the purpose only of—

(*a*) going to his dwelling or place of business or work in the vicinity of the event, or

(*b*) going for any other lawful purpose to any place in the vicinity of the event other than the place where the event is taking place or is about to take place.

(4) A person who—

(*a*) fails to obey a direction given by a member of the Garda Síochána under *subsection (2)* for the purposes of *paragraph (a)* or *(b)* thereof, or

(*b*) fails to comply with the terms of a notice or sign exhibited under *subsection (2)* for the purposes of *paragraph (a)* or *(b)* thereof,

shall be guilty of an offence.

(5) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F37**[**€1,000**]**.

**Annotations**

**Amendments:**

**F37** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

Surrender and seizure of intoxicating liquor, etc.

**22.**—(1) Where in relation to an event—

(*a*) a barrier has been erected under *section 21* and it appears to a member of the Garda Síochána that a person on foot or in a vehicle is seeking to cross or pass the barrier, or has crossed or passed the barrier, for the purpose of going to the place where the event is taking place or is about to take place, or

(*b*) it appears to a member of the Garda Síochána that a person is about to enter, or has entered, the place where the event is taking place or is about to take place,

and the person has, or the member of the Garda Síochána suspects with reasonable cause that the person has, in his possession—

(i) any intoxicating liquor, or

(ii) any disposable container, or

(iii) any other article which, having regard to the circumstances or the nature of the event, could be used to cause injury,

the member may exercise any one or more of the following powers—

(I) search or cause to be searched that person or any vehicle in or on which he may be in order to ascertain whether he has with him any such liquor, container or other article,

(II) refuse to allow that person to proceed to the event or to proceed further, as the case may be, unless that person surrenders permanently to a member of the Garda Síochána as directed by the member such liquor, container or other article.

(2) Where a member of the Garda Síochána refuses to allow a person to proceed to the event or to proceed further by virtue of *subsection (1) (II)* and the person does not surrender the alcoholic liquor, disposable container or other article concerned, the member may require the person to leave the vicinity in an orderly and peaceful manner as directed by the member.

(3) A person who, without lawful authority or reasonable excuse, fails to comply with a requirement under *subsection (2)* shall be guilty of an offence.

(4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding F38**[**€1,000**]**.

**Annotations**

**Amendments:**

**F38** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(2) and table ref. no. 1, S.I. No. 662 of 2010.

## PART IV

### Miscellaneous and Repeals

Prohibition of advertising of brothels and prostitution.

**23.**—(1) A person who publishes or causes to be published or distributes or causes to be distributed an advertisement which advertises a brothel or the services of a prostitute in the State or any premises or service in the State in terms, circumstances or manner which gives rise to the reasonable inference that the premises is a brothel or that the service is one of prostitution shall be guilty of an offence.

(2) A person who is guilty of an offence under *subsection (1)* shall be liable—

(*a*) on summary conviction to a fine not exceeding F39**[**€2,500**]**,

(*b*) on conviction on indictment to a fine not exceeding F39**[**€25,000**]**.

(3) In any proceedings for an offence under *subsection (1)* it shall be a defence for the accused to show that he is a person whose business it is to publish or distribute or to arrange for the publication or distribution of advertisements and that he received the advertisement in question for publication or distribution in the ordinary course of business and did not know and had no reason to suspect that the advertisement related to a brothel or to the services of a prostitute.

(4) Where an offence under *subsection (1)* is committed by a body corporate or by a person purporting to act on behalf of a body corporate or an unincorporated body of persons and is proved to have been committed with the consent or approval of, or to have been attributable to any neglect on the part of, any person who, when the offence was committed, was a director, member of the committee of management or other controlling authority of the body concerned, or the manager, secretary or other officer of the body, or who was purporting to act in any such capacity, that person, as well as the body, shall be guilty of an offence and shall be liable to be proceeded against and punished as if that person were guilty of the first-mentioned offence.

(5) In this section—

"advertisement" includes every form of advertising or promotion, whether in a publication or by the display of notices or posters or by the means of circulars, leaflets, pamphlets or cards or other documents or by way of radio, television, computer monitor, telephone, facsimile transmission, photography or cinematography or other like means of communication;

"distribute" means distribute to the public or a section of the public and cognate words shall be construed accordingly;

"publish" means publish to the public or a section of the public and cognate words shall be construed accordingly.

**Annotations**

**Amendments:**

**F39** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €2,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

F40**[**Fixed charge offences.

**23A.**— (1) A member of the Garda Síochána who has reasonable grounds for believing that a person is committing, or has committed, an offence under F41**[***section 5, 21* or *22***]** (in this section referred to as a "fixed charge offence") may serve on the person personally or by post the notice referred to in *subsection (5)* or cause it to be so served.

(2) A member of the Garda Síochána may, for the purposes of *subsection (1)*—

(*a*) request the person concerned to give his or her name and address and to verify the information given, and

(*b*) if not satisfied with the name and address or any verification given, request that the person accompany the member to a Garda Síochána station for the purpose of confirming the person's name and address.

(3) A person who—

(*a*) does not give his or her name and address when requested to do so under *subsection (2)(a)* or gives a name or address that is false or misleading, or

(*b*) does not comply with a request by a member of the Garda Síochána under *subsection (2)(b)*,

is guilty of an offence and is liable on summary conviction to a fine not exceeding €1,500.

(4) A member of the Garda Síochána who is of opinion that a person is committing, or has committed, an offence under *subsection (3)* may arrest the person without warrant.

(5) The notice referred to in *subsection (1)* shall be in the prescribed form and shall state—

(*a*) that the person on whom it is served is alleged to have committed the fixed charge offence concerned,

(*b*) when and where it is alleged to have been committed,

(*c*) that a prosecution for it will not be instituted if—

(i) during the period of 28 days beginning on the date of the notice, the person pays F42**[**in accordance with the notice**]** the prescribed amount, or

(ii) within 28 days beginning on the expiration of that period, the person F42**[**pays in accordance with the notice**]** an amount which is 50 per cent greater than the prescribed amount,

and

(*d*) that in default of such payment the person will be prosecuted for the alleged offence.

(6) A payment referred to in *subsection (5)* shall be accompanied by the notice referred to in that subsection.

(7) Where a notice is served under *subsection (1)*—

(*a*) a person to whom the notice applies may make a payment in accordance with *subsections (5)(c)* and *(6)*,

F42**[**(*b*) the payment shall be received in accordance with the notice and the person receiving the payment shall issue a receipt for it, **]**

(*c*) a payment so received shall not be recoverable by the person who made it, and

(*d*) a prosecution in respect of the alleged fixed charge offence to which the notice relates shall not be instituted during the periods specified in *subsection (5)(c)* or, if a payment is made in accordance with that subsection and *subsection (6)*, at all.

F42**[**(8)(*a*) In a prosecution for a fixed charge offence it shall be presumed until the contrary is shown that—

(i) the relevant notice under this section has been served or caused to be served, and

(ii) a payment pursuant to the relevant notice under this section accompanied by the notice, duly completed (unless the notice provides for payment without the notice accompanying the payment), has not been made.**]**

(*b*) Payments so made shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance directs.

(9) (*a*) The Minister may make regulations prescribing anything which is referred to in this section as prescribed.

(*b*) Different amounts may be prescribed for a fixed charge offence under this section and an offence under *section 4* which is deemed by *section 23B(4)* to be a fixed charge offence.

(*c*) Regulations made under this section may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary for the purposes of the regulations.

(10) In this section—

"Minister" means Minister for Justice, Equality and Law Reform;

"person" means a person of not less than 18 years of age.**]**

**Annotations**

**Amendments:**

**F40** Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 184, S.I. No. 390 of 2006. A fine of €1,500 translates into a class C fine, not greater than €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

**F41** Substituted (1.11.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63(c), S.I. No. 525 of 2023, art. 3(g).

**F42** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 20, S.I. No. 286 of 2008.

**Modifications (not altering text):**

**C2** Functions under subs. (8)(b) transferred and Minister for and Department of Finance construed (20.09.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 2011* (S.I. No. 480 of 2011), arts. 2,3, subject to transitional provisions in arts. 5-9.

2. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or any instrument made thereunder and relating to any administration and business transferred by paragraph (1) shall, from the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under—

(*a*) the provisions of the enactments specified in the Schedule, and

...

are transferred to the Minister for Public Expenditure and Reform.

...

SCHEDULE

Enactments

| Number and Year (1) | Short Title (2) | Provision (3) |
|---|---|---|
| ... | ... | ... |
| No. 2 of 1994 | Criminal Justice (Public Order) Act 1994 | Section 23A(8)(b) |
| ... | ... | ... |

**Editorial Notes:**

**E29** Power pursuant to subs. (9) exercised (10.07.2009) by *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) (Amendment) Regulations 2009* (S.I. No. 266 of 2009).

**E30** Power pursuant to subs. (9) exercised (10.09.2008) by *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) Regulations 2008* (S.I. No. 363 of 2008).

F43**[**Application of *section 23A* in relation to offence under *section 4*.

**23B.**— (1) This section applies to a person of not less than 18 years of age who is suspected, with reasonable cause, by a member of the Garda Síochána of committing, or of having committed, an offence under *section 4*.

(2) Where—

(*a*) a person to whom this section applies is arrested and brought to a Garda Síochána station, and

(*b*) he or she is a person whom the member of the Garda Síochána in charge of the station is authorised by *section 31* of the *Criminal Procedure Act 1967* to release on bail,

the member may, instead of releasing the person on bail, release him or her unconditionally F44**[**after—

(i) serving on the person personally a notice in the prescribed form stating the matters specified in *section 23A(5)* or causing it to be so served, or

(ii) informing him or her that such notice will be served on him or her by post. **]**

(3) Where a person to whom this section applies is not arrested, the member of the Garda Síochána referred to in *subsection (1)* may serve on the person personally or by post a notice in the prescribed form stating the matters specified in *section 23A(5)* or cause it to be so served.

(4) On the service of a notice under *subsection (2)* or *(3)* the offence under *section 4* is thereupon deemed to be a fixed charge offence, and *subsections (5)* to *(10)* of *section 23A* apply and have effect accordingly in relation to it.**]**

**Annotations**

**Amendments:**

**F43** Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 184, S.I. No. 390 of 2006.

**F44** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 21, S.I. No. 286 of 2008.

**Editorial Notes:**

**E31** Fixed charge (€100) prescribed (10.09.2008) by *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) Regulations 2008* (S.I. No. 363 of 2008), reg. 2(2).

**E32** Form of notice prescribed (10.09.2008) by *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) Regulations 2008* (S.I. No. 363 of 2008), reg. 3(2) and sch.

Arrest without warrant.

**24.**—(1) Where a member of the Garda Síochána finds any person committing an offence under a relevant provision, the member may arrest such person without warrant.

(2) Where a member of the Garda Síochána is of the opinion that an offence has been committed under a relevant provision, the member may—

(*a*) demand the name and address of any person whom the member suspects, with reasonable cause, has committed, or whom the member finds committing, such an offence, and

(*b*) arrest without warrant any such person who fails or refuses to give his name and address when demanded, or gives a name or address which the member has reasonable grounds for believing is false or misleading.

(3) Any person who fails or refuses to give his name and address when demanded by virtue of *subsection (2)*, or gives a name or address when so demanded which is false or misleading, shall be guilty of an offence.

(4) A person guilty of an offence under *subsection (3)* shall be liable on summary conviction to a fine not exceeding F45**[**€1,000**]** or to a term of imprisonment not exceeding 6 months or to both.

(5) In this section "relevant provision" means *section 4*, *6*, F46**[***6A*,**]** *7*, F46**[***7A*,**]** F47**[***8*, *9A*,**]** *11*, F46**[***11A*,**]** *13*, *14*, *15*, *16*, *17*, *18* F46**[**, 18A**]** or *19*.

**Annotations**

**Amendments:**

**F45** Substituted (30.07.2008) by *Intoxicating Liquor Act 2008* (17/2008), s. 22 and sch. 2, S.I. No. 286 of 2008. A fine of €1,000 translates into a class D fine, not greater than €1,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(2) and table ref. no. 1, S.I. No. 662 of 2010.

**F46** Inserted (31.12.2024) by *Criminal Justice (Hate Offences) Act 2024* (41/2024), s. 6(h), S.I. No. 730 of 2024.

**F47** Substituted (1.11.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63(d), S.I. No. 525 of 2023, art. 3(g).

Continuance of existing powers of Garda Síochána.

**25.**—Any power conferred on a member of the Garda Síochána by this Act is without prejudice to any other power exercisable by such a member.

Repeals.

**26.**—The Acts specified in the *Schedule* to this Act are hereby repealed to the extent specified in the *third column* of that Schedule.

*Section 26.*

## SCHEDULE

### Enactments Repealed

| Session and Chapter | Short Title | Extent of Repeal |
|---|---|---|
| 6 & 7 Will. 4, c. 29 | Dublin Police Act, 1836 | Section 9. |
| 5 & 6 Vict., c. 24 | Dublin Police Act, 1842 | Paragraph numbered 13 of section 14. |
| 13 & 14 Vict., c. 92 | Summary Jurisdiction (Ireland) Act, 1851 | Paragraph numbered 3 of section 13. |
| 24 & 25 Vict., c. 100 | Offences against the Person Act, 1861 | Section 38. |
| 34 & 35 Vict., c. 112 | Prevention of Crimes Act, 1871 | Section 12. |
| 6 & 7 Geo. 5, c. 50 | Larceny Act, 1916 | Sections 29 to 31. |

### ACTS REFERRED TO

| | |
|---|---|
| Criminal Justice Act, 1951 | No. 2 of 1951 |
| Criminal Justice Act, 1960 | No. 27 of 1960 |
| Criminal Procedure Act, 1967 | No. 12 of 1967 |
| Defence Act, 1954 | No. 18 of 1954 |
| Offences against the State (Amendment) Act, 1940 | No. 2 of 1940 |
| Prevention of Crimes Act, 1871 | 34 & 35 Vict. c. 112 |
| Prisoners of War and Enemy Aliens Act, 1956 | No. 27 of 1956 |
| Prisons Acts, 1826 to 1980 | |
| Vagrancy Act, 1824 | 5 Geo. 4, c. 83 |

*Number* 2 *of* 1994

# CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994

**REVISED**

**Updated to 31 December 2024**

## About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

## Related legislation

***Criminal Justice (Public Order) Acts 1994 to 2023***: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 1(4)). The Acts in this group are:

- *Criminal Justice (Public Order) Act 1994* (2/1994)
- *Criminal Justice (Public Order) Act 2003* (16/2003)
- *Criminal Justice (Public Order) Act 2011* (5/2011)
- *Local Government Reform Act 2014* (1/2014), s. 1(11) and the amendment to *Criminal Justice (Public Order) Act 1994* provided for in s. 5(6) and sch. 2 part 6
- *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 63

***Vagrancy Acts 1824 to 1994***: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Criminal Justice (Public Order) Act 1994* (2/1994), s. 1(2). The Acts in this group are:

- *Vagrancy Act 1824* (5 Geo. 4. c. 83), as applied to Ireland by *Prevention of Crimes Act 1871* (34 & 35 Vict. c. 112), s. 15
- *Housing Act 1988* (28/1988), s. 28
- *Criminal Justice (Public Order) Act 1994* (2/1994), s. 12

## Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

## Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this

revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

**Acts which affect or previously affected this revision**

- *Criminal Justice (Hate Offences) Act 2024* (41/2024)
- *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023)
- *Criminal Justice Act 2017* (14/2017)
- *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016)
- *Local Government Reform Act 2014* (1/2014)
- *Education and Training Boards Act 2013* (11/2013)
- *Taxi Regulation Act 2013* (37/2013)
- *Fines Act 2010* (8/2010)
- *Intoxicating Liquor Act 2008* (17/2008)
- *Criminal Justice Act 2007* (29/2007)
- *Prisons Act 2007* (10/2007)
- *Criminal Justice Act 2006* (26/2006)
- *Criminal Justice (Public Order) Act 2003* (16/2003)
- *Housing (Miscellaneous Provisions) Act 2002* (9/2002)
- *Criminal Justice (Theft and Fraud Offences) Act 2001* (50/2001)
- *Bail Act 1997* (16/1997)

All Acts up to and including *Family Courts Act 2024* (48/2024), enacted 13 November 2024, were considered in the preparation of this revision.

**Statutory instruments which affect or previously affected this revision**

- *Finance (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 2011* (S.I. No. 480 of 2011)
- *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) (Amendment) Regulations 2009* (S.I. No. 266 of 2009)
- *Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) Regulations 2008* (S.I. No. 363 of 2008)

All statutory instruments up to and including *Physiotherapists Registration Board Application for Registration Bye-Law 2025* (S.I. No. 2 of 2025), made 7 January 2025, were considered in the preparation of this revision.