

BELFAST CITY COUNCIL

**BYE-LAWS FOR THE GOOD GOVERNANCE OF BELFAST CITY CENTRE AND
THE PREVENTION AND SUPPRESSION OF NUISANCE**

THE REGULATION OF GRAPHIC IMAGERY

DRAFT

Made by Belfast City Council :

**Confirmed by Department for
Communities :**

In operation on and from :

BYE – LAWS
BELFAST CITY COUNCIL
FOR THE GOOD GOVERNANCE OF BELFAST CITY CENTRE
AND IN PARTICULAR
THE REGULATION OF GRAPHIC IMAGERY

Bye-Laws made the _____ by Belfast City Council pursuant to Section 90 of the Local Government Act (Northern Ireland) 1972 for the good rule and government of its City Centre at a meeting of the Council held on _____

INTREPRETATION:

1. In these Bye-laws-

“A4 dimensions” means the dimensions of A4 paper which is 210mm x 297mm

“City Centre” means the area delineated in red on the map attached hereto at Schedule One”

“display” means either the physical or digital exhibition, presentation, depiction, photograph or illustration of graphic imagery on a poster, banner or other such means of display, in a public place in the City Centre, [that is visible to the general public]

“graphic imagery” means pictures, illustrations, images or any other visual representations of aborted and/or miscarried remains of human embryos, fetuses or babies.

General Provisions

2. These Bye-Laws apply to the City Centre as shown in the map at Schedule One.
3. Notice of the effect of these Bye-Laws shall be given by signs placed in such positions as the Council may consider adequate to inform persons of their existence.

Display of Graphic Imagery

4. (1) It shall be an offence for a person to display, or cause to be displayed, graphic imagery in the City Centre either on a temporary or permanent basis.
(2) Any reference in these Bye-laws to a person displaying graphic imagery includes:
 - (a) any person who is in control of, possesses or owns graphic imagery being displayed in the City Centre;
 - (b) any person who affixes graphic imagery to any item, structure or thing so that it is visible to the general public in the City Centre;
 - (c) any person who otherwise displays graphic imagery, whether on their person, on clothing or on some other item, structure or thing in the City Centre.
5. These Bye-Laws shall not apply to the distribution of leaflets, flyers, pamphlets, brochures or booklets containing graphic imagery or other small scale printed materials [which are less than A4 dimensions] provided they are enclosed within an opaque envelope with a suitable warning on the front.

Offences

6. Any person who contravenes these Bye-Laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £500.
7. A person who obstructs or impedes or refuses to comply with a request of an authorised person acting in the exercise of the functions conferred on an authorised officer shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £500.
8. Where an authorised officer is of the opinion that a person is committing or has committed an offence under either of the two preceding bye-laws the authorised person may demand the name and address of such a person and if that demand is refused or the

person gives a name and address which is false or misleading, that person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £500.

Fixed Payment Notice

9. Where an authorised officer of the Council has reason to believe that a person has committed an offence under these Bye Laws, the officer may give that person a notice offering the person the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty to the Council.

10. Where a person is given a fixed penalty notice under these Bye Laws:

(a) no proceedings may be instituted for that offence before the expiration of the period of 14 days following the date of the notice; and

(b) the person shall not be convicted of that offence if the person pays the fixed penalty before the expiration of that period.

11. A notice under this section must give such particulars of the circumstances alleged to constitute the offence as are necessary for giving reasonable information of the offence.

12. The Fixed Penalty Notice shall specify the name and address of the alleged offender and in general terms the nature of the contravention alleged to have been committed; and the date and place of the alleged contravention.

13. This Bye-Law will not prejudice the Council's ability to pursue enforcement action under Parts 4 & 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 or the Planning Act (Northern Ireland) 2011.

SEALED with the Corporate Seal)
of the **CITY OF BELFAST** in)
the presence of:-)
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_____))
LORD MAYOR _____))
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CHIEF EXECUTIVE _____))

CHIEF EXECUTIVE

Signed: _____
[job title]