Changes to Legislation: as of 3 November 2026, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries **here**. Note that some amendments may not be in force until commenced by a commencement order or other provision.

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REVISED

Updated to 31 December 2024

This Revised Act is an administrative consolidation of the *Criminal Justice (Public Order) Act 2003* (16/2003). 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.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

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ARRANGEMENT OF SECTIONS

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PRELIMINARY AND GENERAL

Section

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7. Extension of closure order.
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9. Liability for offences by bodies corporate and unincorporated.
10. Jurisdiction.

ACTS REFERRED TO

Criminal Justice (Public Order) Act 1994	1994, No. 15
Gaming and Lotteries Acts 1956 to 1986	
Licensing Acts 1833 to 2000	
Protection of Employees (Part-Time Work) Act 2001	2001, No. 45

Public Dance Halls Act 1935	1935, No. 2
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AN ACT TO ENABLE PERSONS CONVICTED OF AN OFFENCE UNDER CERTAIN PROVISIONS OF THE CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994 TO BE EXCLUDED FROM ENTERING LICENSED PREMISES OR PREMISES (INCLUDING A STALL OR VEHICLE) USED FOR THE SALE OF FOOD OR FROM AREAS IN THE VICINITY OF THOSE PREMISES; TO PROVIDE FOR THE CLOSURE OF SUCH PREMISES AT A SPECIFIED TIME OR FOR A SPECIFIED PERIOD WHERE NECESSARY IN THE INTERESTS OF THE PREVENTION OF DISORDER OR EXCESSIVE NOISE ARISING IN RELATION TO THOSE PREMISES; AND TO PROVIDE FOR CONNECTED MATTERS. [28*th May*, 2003]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

Preliminary And General

Short title, collective citations and commencement.

1.—(1) This Act may be cited as the Criminal Justice (Public Order) Act 2003.

(2) The Criminal Justice (Public Order) Act 1994 and this Act may be cited together as the Criminal Justice (Public Order) Acts 1994 and 2003.

(3) The Licensing Acts 1833 to 2000 and this Act may be cited together as the Licensing Acts 1833 to 2003.

(4) The Public Dance Halls Acts 1935 and 1997 and this Act may be cited together as the Public Dance Halls Acts 1935 to 2003.

(5) The Gaming and Lotteries Acts 1956 to 1986 and this Act may be cited together as the Gaming and Lotteries Acts 1956 to 2003.

(6) The Registration of Clubs Acts 1904 to 2000 and this Act may be cited together as the Registration of Clubs Acts 1904 to 2003.

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

Interpretation.

2.—(1) In this Act—

"catering premises" means:

(*a*) licensed premises,

(*b*) food premises, or a food stall or food vehicle, within the meaning of the Food Hygiene Regulations 1950 to 1989;

"closure order" means an order under *section 5* for the closure of catering premises and includes such an order as affirmed, varied or extended under this Act;

"club" means a club registered under the Registration of Clubs Acts 1904 to 2000;

"licensed premises" means:

(*a*) premises licensed for the sale of intoxicating liquor under the Licensing Acts 1833 to 2000,

(*b*) premises licensed under the Public Dance Halls Act 1935,

(*c*) premises licensed under the Gaming and Lotteries Acts 1956 to 1986,

(*d*) a club;

"licensee" means:

(*a*) in relation to licensed premises (other than a club), the holder of the licence,

(*b*) in relation to a club, every person entered in the register of clubs as an official or member of its committee of management or governing body at the material time, and

(*c*) in relation to other catering premises, the registered proprietor (within the meaning of the Food Hygiene Regulations 1950 to 1989) of the premises;

"manager" means any person who works in catering premises in a capacity which gives him or her authority to close the premises;

"vicinity", in relation to catering premises, means land within a reasonable distance, not exceeding 100 metres, of the premises.

(2) In this Act—

(*a*) a reference to a section is to a section of this Act,

(*b*) a reference to a subsection is a reference to the subsection of the section in which the reference occurs, and

(*c*) a reference to an enactment is a reference to that enactment as amended, adapted or extended by or under any subsequent enactment (including this Act).

PART 2

Exclusion Orders

Exclusion order.

3.—(1) The District Court, on conviction of a person for an offence under section 4, 5, 6, F2**[**6A,**]** 7, F2**[**7A,**]** 8 or 9 of the Criminal Justice (Public Order) Act 1994, may by order prohibit the person from entering or being in the vicinity of specified catering premises between such times, and during such a period, as the Court may specify.

(2) Any period so specified shall not exceed 12 months and shall commence—

(*a*) in case the person has been sentenced to imprisonment or detention for the offence, on the date of his or her release therefrom, or

(*b*) in any other case, on the date of the order.

(3) The governor or other person in charge of the place where a person who is subject to an order under *subsection (1)* is serving a sentence shall inform the Commissioner of the Garda Síochána of the date on which the person is to be released.

(4) A person who, without reasonable excuse, does not comply with an order under *subsection (1)* is guilty of an offence and liable on summary conviction to a fine not exceeding €650 or imprisonment for a term not exceeding 3 months or both.

(5) An appeal lies to the Circuit Court from an order under *subsection (1)*.

(6) In *subsection (1)* "offence" means an offence committed after the commencement of this Act.

PART 3

Closure Orders

Application for closure order.

4.—(1) Subject to *subsection (2)*, a member of the Garda Síochána not below the rank of inspector may apply to the District Court for an order under *section 5* (in this Act referred to as a "closure order") in respect of catering premises if in the member's opinion—

(*a*) (i) there has been disorder either on the premises or in the vicinity of, and involving persons who were on, the premises, or

(ii) noise emanating from the premises, or emanating from the vicinity of the premises and caused by persons who were on the premises, has been so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to persons in that vicinity,

and

(*b*) such disorder or noise is likely to recur.

(2) An application for a closure order shall not be made unless a member of the Garda Síochána has served, either personally or by registered post, a notice in writing—

(*a*) stating that in the member's opinion disorder or noise as mentioned in *subsection (1)* has occurred, and

(*b*) requesting the licensee to take such action within the licensee's control as is necessary to prevent, as far as possible, a recurrence of the disorder or noise within such reasonable period after service of the notice, not being more than 7 days, as may be specified therein.

(3) The application shall be on notice to the licensee or manager of the catering premises concerned.

Closure order.

5.—(1) If on an application under *section 4* the District Court is satisfied—

(*a*) that disorder or noise as referred to in *subsection (1)* of that section has occurred and is likely to recur, and

(*b*) that the making of a closure order is necessary to prevent a recurrence of the disorder or noise,

the Court shall make a closure order in respect of the catering premises concerned.

(2) A closure order shall order the closure of catering premises—

(*a*) at a specified time or between specified times on a specified day or days during a specified period, or

(*b*) for a period—

(i) not exceeding 7 days in the case of the first such order, or

(ii) not less than 7 and not exceeding 30 days in the case of a second or subsequent order.

(3) On making a closure order the Court may, having regard to the particular circumstances of the case, order that the licensee shall, within a specified period, comply with specified requirements in relation to the catering premises concerned, including, as appropriate, a requirement to install a closed circuit television system, restrict the type of substances to be sold or limit the number of persons to be admitted.

(4) A person who, without reasonable excuse, does not comply with an order under *subsection (3)* is guilty of an offence and liable on summary conviction to a fine not exceeding €650 or imprisonment for a term not exceeding 3 months or both.

(5) In determining whether to make a closure order the Court may take into account any conduct of the licensee or a manager or other person employed by the licensee in relation to the operation of the premises concerned.

(6) A closure order—

(*a*) may apply to the whole or part of catering premises,

(*b*) shall specify the ground or grounds for making it, and

(*c*) shall come into force when written notice of its making is given by a member of the Garda Síochána to the licensee or manager of the premises concerned.

(7) While a closure order is in force, a notice specifying the closure times or the period of closure under the order and the grounds for making it shall be affixed by the licensee to the exterior of the premises concerned in a conspicuous place.

(8) No employee who is working in the premises to which a closure order applies shall be disadvantaged in his or her employment by reason of the order or during the period of closure under it.

(9) The reference in *subsection (8)* to an employee is a reference to either a full-time employee or a part-time employee within the meaning of the Protection of Employees (Part-Time Work) Act 2001.

(10) A person who contravenes *subsection (7)* is guilty of an offence and liable on summary conviction to a fine not exceeding—

(*a*) for a first offence, €300, or

(*b*) for a second or subsequent offence, €600.

Appeals.

6.—(1) An appeal to the Circuit Court against a closure order shall not affect the operation of the order unless the Court, within 7 days from the date of the order, makes an order suspending its operation pending the hearing of the appeal.

(2) On the hearing of the appeal the Circuit Court may—

(*a*) affirm, revoke or vary the order concerned, and

(*b*) make such other order (if any) in relation to the premises as it considers just.

Extension of closure order.

7.—(1) Before the end of the period during which a closure order is in force, a member of the Garda Síochána not below the rank of inspector may apply to the District Court for an order extending the closure order.

(2) On such an application the Court may, if satisfied that an order extending the closure order is necessary to prevent a recurrence of the disorder or noise concerned, by order extend the closure order, with any such variation in its terms as it considers appropriate, for a further period.

Breach of closure order.

8.—(1) A person who permits catering premises to be open for business in contravention of a closure order is guilty of an offence and liable to a fine not exceeding €3,000 or imprisonment for a term not exceeding 6 months or both.

(2) Any person who is on catering premises, without reasonable excuse, while there is a closure order in force in respect of the premises is guilty of an offence, unless the person shows that *section 5(7)* in relation to affixing a notice to the exterior of the premises was not complied with.

(3) A person who—

(*a*) is requested to leave catering premises for the purpose of enabling compliance with a closure order, and

(*b*) without reasonable excuse, does not do so,

is guilty of an offence.

(4) A person who is guilty of an offence under *subsection (2)* or *(3)* is liable on summary conviction to a fine of not less than €70 and not more than €125.

Liability for offences by bodies corporate and unincorporated.

9.—(1) Where—

(*a*) an offence under this Part has been committed by a body corporate, and

(*b*) the offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a person who was either—

(i) a director, manager, secretary or other officer of the body corporate, or

(ii) a person purporting to act in any such capacity,

the person, as well as the body corporate, is guilty of an offence and liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, *subsection (1)* applies in relation to the acts and defaults of a member in connection with the member's functions of management as if he or she were a director or manager of the body corporate.

(3) The foregoing provisions apply, with the necessary modifications, in relation to offences under this Part committed by an unincorporated body.

Jurisdiction.

10.—The jurisdiction of the District and Circuit Court under this Part shall be exercised by the judge for the time being assigned—

(*a*) in the case of the District Court, to the district court district in which—

(i) in the case of a food stall or food vehicle, the stall or vehicle is used for the sale of food or is kept when not being so used, or

(ii) in the case of any other catering premises, the premises are situated,

and

(*b*) in the case of the Circuit Court, to the circuit in which is situated the courthouse in which the order appealed against was made.

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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

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

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. 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.