

1979 No. 149 (C. 8)

TREATMENT OF OFFENDERS

Treatment of Offenders (1968 Act) (Commencement No. 3) Order
(Northern Ireland) 1979

Made 23rd April 1979

Coming into operation 1st June 1979

In exercise of the powers conferred on me by section 36(3) of the Treatment of Offenders Act (Northern Ireland) 1968(a) (hereinafter referred to as "the Act") I hereby make the following Order:

Citation

1. This Order may be cited as the Treatment of Offenders (1968 Act) (Commencement No. 3) Order (Northern Ireland) 1979.

Appointed day

2. The provisions of the Act specified in the first column of the Schedule (which relate to matters specified in the second column of the said Schedule) shall come into operation on 1st June 1979.

Northern Ireland Office
23rd April 1979

Roy Mason
One of Her Majesty's Principal
Secretaries of State

SCHEDULE

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Part I	
Section 1	Restrictions on imprisonment.
Section 2 in its application to young offenders centres.	Young offenders centres.
Section 3 in its application to young offenders centres.	Visiting committees for young offenders centres.
Section 5	Detention in a young offenders centre.
Section 7	Transfer of young offenders between institutions.
Section 8	Transfer to prison of persons over twenty-one and maximum age for detention in a young offenders centre.
Section 12	Recall.
Section 14	Transfer from prison consequential on section 1.
Part II	
Section 18 in its application to an order for detention in a young offenders centre.	Suspended order for detention.
Sub-section (3) of section 19 and sub-sections (1) and (2) and (4) to (7) of that section in their application to an order for detention in a young offenders centre.	Power of court on conviction of further offence to deal with a suspended order for detention.
Section 20 in its application to an order for detention in a young offenders centre.	Court which shall deal with a suspended order for detention.
Section 21 in its application to an order for detention in a young offenders centre.	Discovery of further offences.
Section 26 in its application to a term of detention in a young offenders centre.	Duration of term of detention in a young offenders centre.
Sub-section (2) of section 28	Computation of period of detention on appeal.
Sub-section (4) of section 29 in its application to an order for detention in a young offenders centre.	Powers of Court of Criminal Appeal.

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Part III Section 34 SCHEDULES Part II of Schedule 3 So much of Part III of Schedule 3 as is set out in Appendix A.	Meaning of "imprisonment" in certain other Acts. Amendments pursuant to section 12. Minor and consequential amendments.

APPENDIX A

<i>Session or Year and Chapter</i>	<i>Short Title</i>	<i>Extent of Amendment</i>
1953 c. 14	The Criminal Justice Act (Northern Ireland) 1953	<p>In section 10(1) after the word "imprisonment" there shall be inserted the words "or detention in a young offenders centre".</p> <p>In section 14(3) after the words "Borstal Institution" there shall be inserted the words ", young offenders centre".</p> <p>In section 27(3) after the word "imprisonment" where it occurs for the first time there shall be inserted the words "shall be construed in relation to any offender without regard to any prohibition or restriction imposed by or under any enactment upon the imprisonment of offenders of his age, but".</p>
1953 c. 18	The Prison Act (Northern Ireland) 1953	<p>In section 13(1)(c) at the end there shall be added the words ", or a person ordered to be detained in a young offenders centre".</p> <p>In sections 18(1), 25, 30(a) and 38(2) after the words "Borstal Training" there shall be inserted the words ", or ordered to be detained in a young offenders centre".</p>
1961 c. 39	The Criminal Justice Act 1961	<p>In section 38(5), after paragraph (a) there shall be inserted the following paragraph—</p> <p>“(aa) an order for detention in a young offenders centre passed in Northern Ireland shall be treated as a sentence of imprisonment for the like term;”.</p> <p>In section 39(1) in the definition of "appropriate institution" after paragraph (bb) there shall be inserted the following paragraph—</p> <p>“(bbb) in relation to a person sentenced to imprisonment for less than 3 years when under 21 years of age who is so removed to Northern Ireland, a young offenders centre;”.</p>

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order brings into operation on 1st June 1979 the following provisions of the Treatment of Offenders Act (Northern Ireland) 1968:—

the whole of sections 1, 5, 7, 8, 12, 14, 34 and Part II of Schedule 3 and certain provisions of sections 2, 3, 18, 19, 20, 21, 26, 28, 29 and Part III of Schedule 3.