

**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland Act 2009, Cross Heading: Justice (Northern Ireland) Act 2002 (c. 26). (See end of Document for details)

## SCHEDULES

### SCHEDULE 4 **U.K.**

#### TRANSFER OF APPOINTMENT AND RELATED FUNCTIONS

##### *Justice (Northern Ireland) Act 2002 (c. 26)*

- 33 (1) Amend section 9 as follows.
- (2) In subsection (1) for “Lord Chancellor” substitute “ Commission ”.
- <sup>F1</sup>(3) . . . . .
- (4) For subsection (11) substitute—
- “(11) The justice department must pay to lay magistrates any such allowances as it may determine.”

#### **Textual Amendments**

- F1** Sch. 4 para. 33(3) omitted (12.4.2010) by virtue of [Department of Justice Act \(Northern Ireland\) 2010 \(c. 3\)](#), s. 3(2), [Sch. para. 22](#); [S.R. 2010/147](#), art. 2(2)

#### **Commencement Information**

- I1** Sch. 4 para. 33 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

- 34 (1) Amend section 90 as follows.
- (2) In subsection (1)(c) after “deputy First Minister” insert “ or the justice department ”.
- (3) After subsection (1) insert—
- “(1A) An order containing provision made by virtue of section 9(4) shall be subject to affirmative resolution (within the meaning of section 41(4) of the Interpretation Act (Northern Ireland) 1954).”
- (4) In subsection (4) omit “9(4),”.

#### **Commencement Information**

- I2** Sch. 4 para. 34 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

- 35 (1) Amend Schedules 1 and 6 as follows.
- (2) After the entry relating to the Plant Varieties and Seeds Tribunal insert— “ Deputy appointed under paragraph 6(1) of Schedule 3 to the Plant Varieties Act 1997 for the purpose of proceedings brought before the Plant Varieties and Seeds Tribunal in Northern Ireland ”.

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- (3) At the end insert— “ President or other member of the Charity Tribunal for Northern Ireland Adjudicator appointed under Article 7(1)(b) of the Criminal Injuries Compensation (Northern Ireland) Order 2002 Chairman appointed under Article 7(2)(b) of the Criminal Injuries Compensation (Northern Ireland) Order 2002 Adjudicator appointed under Article 29 of the Traffic Management (Northern Ireland) Order 2005 ”.
- (4) In Schedule 1, after the entries inserted by sub-paragraph (3), insert— “ Chairman of an Appeal Tribunal for the purposes of the Adoption (Northern Ireland) Order 1987 ”.

**Commencement Information**

- I3** Sch. 4 para. 35 partly in force; Sch. 4 para. 35 not in force at Royal Assent see s. 5; Sch. 4 para. 35(1) (3) in force for certain purposes at 26.9.2009 by [S.I. 2009/2466](#), [art. 2\(b\)](#)
- I4** Sch. 4 para. 35(1) (3) in force in so far as not already in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)
- I5** Sch. 4 para. 35(2) (4) in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

36 Omit paragraphs 14 and 17(2) of Schedule 4.

**Commencement Information**

- I6** Sch. 4 para. 36 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

37 Omit paragraph 13 of Schedule 12.

**Commencement Information**

- I7** Sch. 4 para. 37 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

- 38 In Schedule 13 omit—
- (a) the repeal of words in section 10(1) of the Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.));
  - (b) the repeal of words in section 90(4) of the Justice (Northern Ireland) Act 2002 (c. 26).

**Commencement Information**

- I8** Sch. 4 para. 38 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

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