



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 5

SAFEGUARDING VULNERABLE GROUPS, CRIMINAL RECORDS ETC.

[^{F1}CHAPTER 5

DISREGARDING CERTAIN CONVICTIONS FOR BUGGERY ETC: NORTHERN IRELAND

General

[^{F1}101C Procedure for decisions by the Department of Justice

- (1) In considering whether to make a decision of the kind mentioned in condition A in section 101A, the Department of Justice in Northern Ireland must, in particular, consider—
 - (a) any representations or evidence included in the application, and
 - (b) any available record of the investigation of the offence and of any proceedings relating to it that the Department of Justice in Northern Ireland considers to be relevant.
- (2) The Department of Justice in Northern Ireland may not hold an oral hearing for the purpose of deciding whether to make a decision of the kind mentioned in condition A in section 101A.
- (3) Subsection (4) applies if the Department of Justice in Northern Ireland—
 - (a) decides that it appears as mentioned in condition A in section 101A, or
 - (b) makes a different decision in relation to the matters mentioned in that condition.
- (4) The Department of Justice in Northern Ireland must—
 - (a) record the decision in writing, and
 - (b) give notice of it to the applicant.]

Changes to legislation: *Protection of Freedoms Act 2012, Section 101C is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** Pt. 5 Ch. 5 inserted (31.1.2017 for specified purposes, 28.6.2018) by [Policing and Crime Act 2017](#) (c. 3), [ss. 168\(1\)](#), [183\(4\)\(5\)\(e\)](#); S.R. 2018/128, art. 2(a)

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2234 art. 13 by [S.I. 2014/831 art. 2\(2\)](#)
- specified provision(s) transitional provisions and savings for commencing S.I. 2013/1814 by [S.I. 2013/1813 art. 2-9](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 7A inserted by [2019 c. 3 Sch. 2 para. 20](#)