

SCHEDULES

SCHEDULE 5

Release of prisoners on licence

Life Sentences (Northern Ireland) Order 2001

6. In Article 8 (duration and conditions of licences)—
 - (a) in paragraphs (2) and (3) for “Secretary of State” substitute “Department of Justice”;
 - (b) for paragraph (4) substitute—

“(4) Rules made under paragraph (2) shall be subject to negative resolution.”;
 - (c) after paragraph (4) insert—

“(5) The Secretary of State may exercise any power of the Department of Justice to include, insert, vary or cancel conditions in a licence but only if his decision to exercise the power is arrived at (wholly or partly) on the basis of protected information; and, in relation to the exercise of such a power by the Secretary of State, in paragraph (3) the reference to the Department of Justice is to be read as a reference to the Secretary of State.

(6) The Department of Justice must exercise its powers subject to anything done by the Secretary of State by virtue of paragraph (5).”