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## STATUTORY INSTRUMENTS

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# 2019 No. 780

## The Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019

### PART 3

#### EUROPEAN PROTECTION ORDERS

##### CHAPTER 2

##### European protection orders: Northern Ireland

#### Interpretation

[<sup>F19</sup>In this Chapter, “the Northern Ireland EPO Regulations” means the Criminal Justice (European Protection Order) (Northern Ireland) Regulations 2014<sup>F2</sup>.]

#### Textual Amendments

- F1** Reg. 9 substituted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, 44
- F2** [S.I. 2014/320](#); amended by [S.R. 2015 No. 353](#).

#### Commencement Information

- I1** Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Revocation of the Northern Ireland EPO Regulations

- 10.** The Northern Ireland EPO Regulations are revoked.

#### Commencement Information

- I2** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### [<sup>F3</sup>Transitional and saving provision: requests to executing States to recognise European protection orders made in Northern Ireland

**11.—(1)** The following provisions of the Northern Ireland EPO Regulations continue to apply, as if they had not been revoked by regulation 10, to relevant European protection orders as defined in paragraph (2) below (and see Article 62(1)(k) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018)—

*Status: This version of this chapter contains provisions that are prospective.*  
**Changes to legislation:** There are currently no known outstanding effects for the The Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019, CHAPTER 2. (See end of Document for details)

- (a) regulations 1 to 4;
- (b) regulation 6;
- (c) regulations 9 and 10.

(2) A relevant European protection order is one received before IP completion day by the competent authority of the executing State under regulation 9(2) of the Northern Ireland EPO Regulations (notifying the executing State of the European protection order) or by any other authority of the executing State with no competence to recognise a European protection order but which forwards it to the competent authority.

(3) For the purposes of this regulation—

- (a) “the competent authority” has the same meaning as in regulation 2(1) of the Northern Ireland EPO Regulations (interpretation - general);
- (b) “the executing State” has the same meaning as in regulation 3(2) and 4(5) of the Northern Ireland EPO Regulations (interpretation – Part 2 and power of a court to make a European protection order);
- (c) the provisions of the Northern Ireland EPO Regulations referred to in paragraph (1) are to be read as if the term “member State” included the United Kingdom.]

#### Textual Amendments

**F3** Reg. 11 substituted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, 45

#### Commencement Information

**I3** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### <sup>F4</sup>Transitional and saving provision: recognition by Northern Ireland of European protection orders made by issuing States

**12.**—(1) The following provisions of the Northern Ireland EPO Regulations continue to apply, as if they had not been revoked by regulation 10, to relevant European protection orders as defined in paragraph (2) below—

- (a) regulations 1 and 2;
- (b) regulations 11 to 14;
- (c) regulations 16 to 19;
- (d) the Schedule (grounds for refusal to give effect to a European protection order).

(2) A relevant European protection order is one received from the issuing State before IP completion day by the central authority for Northern Ireland under regulation 12(2) of the Northern Ireland EPO Regulations (requests from other member States to recognise a European protection order), or by any other authority of Northern Ireland with no competence to recognise a European protection order but which forwards it to the central authority.

(3) For the purposes of this regulation—

- (a) “the central authority for Northern Ireland” has the same meaning as in regulation 2(1) of the Northern Ireland EPO Regulations;
- (b) “the issuing State” has the same meaning as in regulation 2(1) of the Northern Ireland EPO Regulations;

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- (c) the provisions of the Northern Ireland EPO Regulations referred to in paragraph (1) are to be read as if the term “member State” included the United Kingdom.]

**Textual Amendments**

- F4** Reg. 12 substituted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **46**

**Commencement Information**

- I4** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

PROSPECTIVE

**Saving provision: European protection order modifications communicated, but not given effect to, before exit day**

<sup>F5</sup>**13.** . . . . .

**Textual Amendments**

- F5** Reg. 13 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **47**

PROSPECTIVE

**Saving provision: European protection order revocation notifications made, but not given effect to, before exit day**

<sup>F6</sup>**14.** . . . . .

**Textual Amendments**

- F6** Reg. 14 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **47**

**Consequential revocation**

**15.** The Criminal Justice (European Protection Order) (Amendment) Regulations (Northern Ireland) 2015 <sup>MI</sup> are revoked.

**Commencement Information**

- I5** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

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**Status:** *This version of this chapter contains provisions that are prospective.*  
**Changes to legislation:** *There are currently no known outstanding effects for the The Criminal Justice  
(Amendment etc.) (EU Exit) Regulations 2019, CHAPTER 2. (See end of Document for details)*

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**Marginal Citations**

**M1** S.R. 2015 No. 353.

**Status:**

This version of this chapter contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019, CHAPTER 2.