

Status: Point in time view as at 29/01/2016.

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SCHEDULES

VALID FROM 31/10/2016

SCHEDULE 1 **N.I.**

Section 6.

AMENDMENTS: SINGLE JURISDICTION

The Gaming Act (Ireland) 1739 (c. 8)

1 In section 16 (bringing of actions) omit the words from “and shall be laid” to the end.

The Forcible Entry Act (Ireland) 1786 (c. 24)

2 In section 65 (indictments) for “some one or more of the justices of the peace of the county, county of the city or town where such indictment shall be made” substitute “a district judge (magistrates' courts)”.

The Parliamentary Representation Act (Ireland) 1800 (c. 29)

3 In section 7 (writs) for “crown office in Ireland” and “crown office of Ireland” substitute “ chief clerk ”.

The Tolls (Ireland) Act 1817 (c. 108)

4 In section 7 (schedule of tolls) for “chief clerk for the county court division where such custom, toll, or duty may be claimed,” substitute “ chief clerk ”.

The Tithe Rentcharge (Ireland) Act 1838 (c. 109)

5 In section 27 (recovery of rent-charge) omit “wherein the lands charged therewith may be situate”.

The Defence Act 1842 (c. 94)

6 In section 24 (compensation)—

- (a) for “two justices of the peace of the county, riding, stewartry, city or place” substitute “ a court of summary jurisdiction ”;
- (b) for “such justices” substitute “ that court ”.

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The Fisheries (Ireland) Act 1842 (c. 106)

7.—(1) In section 92 (byelaws) for the words from “deposited with” to “in each such petty sessions district” substitute “ deposited with the clerk of petty sessions who shall publish notice of the lodgement; ”.

(2) In section 103 omit “in the district where the same shall be seized”.

The Companies Clauses Consolidation Act 1845 (c. 16)

8.—(1) In section 3 (interpretation) omit “acting for the place where the matter requiring the cognizance of any such justice shall arise and”.

(2) In section 161 (deposit of copies of special Act) for the words from “deposit in the office” to “into which the works shall extend” substitute “ deposit in the office of the chief clerk ”.

The Lands Clauses Consolidation Act 1845 (c. 18)

9 In section 150 (deposit of copies of special Act) for the words from “deposit in the office” to “into which the works shall extend” substitute “ deposit in the office of the chief clerk ”.

The Railways Clauses Consolidation Act 1845 (c. 20)

10.—(1) In section 7 (correction of plans) for the words from “deposited with” to “shall be situate” substitute “ deposited with the chief clerk ”.

(2) In section 8 (deposit of plans) for the words from “deposited with” to “intended to pass” substitute “ deposited with the chief clerk ”.

(3) In section 11 (limitation of deviation)—

(a) for the words from “two or more justices” to “may be situated” substitute “ a court of summary jurisdiction ”;

(b) omit the words from “Provided also, that” to the end.

(4) In section 59 (consent to level crossing)—

(a) for the words from “any two or more justices” to “is situate, and assembled in petty sessions” substitute “ a court of summary jurisdiction ”;

(b) for “such justices” substitute “ that court ”.

The Ejectment and Distress (Ireland) Act 1846 (c. 111)

11 In section 16 for the words from “apply to any one” to “fixed in such summons” substitute “apply to a district judge (magistrates' courts) for the redress of his grievance, whereupon the district judge shall summon the person

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complained of to appear before a court of summary jurisdiction at a reasonable time to be fixed in the summons.”.

The Markets and Fairs Clauses Act 1847 (c. 14)

12.—(1) In section 7 (correction of errors) for “the chief clerk for the county court division in which the lands affected thereby shall be situated” substitute “the chief clerk”.

(2) In section 50 (annual account) for “the chief clerk for the county court division in which the market or fair is situate” substitute “the chief clerk”.

(3) In section 58 (deposit of special Act) for the words from “deposit in” to “is situate” substitute “deposit in the office of the chief clerk”.

The Commissioners Clauses Act 1847 (c. 16)

13.—(1) In section 95 for “the chief clerk for the county court division where the undertaking is situate” substitute “the chief clerk”.

(2) In section 110 (copies of special Act) for the words from “deposit in” to “is situate” substitute “deposit in the office of the chief clerk”.

The Harbours, Docks and Piers Clauses Act 1847 (c. 27)

14.—(1) In section 7 (correction of plans) for the words from “be deposited in” to “are situate” substitute “be deposited with the chief clerk”.

(2) In section 8 (alterations to plans) for the words from “deposited with the said” to “is situate” substitute “deposited with the chief clerk”.

(3) In section 50 (annual account) for the words from “charge, to the” to “is situate” substitute “charge, to the chief clerk”.

(4) In section 97 (copies of special Act) for the words from “deposit in” to “is situate” substitute “deposit in the office of the chief clerk”.

The Towns Improvement Clauses Act 1847 (c. 34)

15.—(1) In section 3 (interpretation)—

(a) in the definition of “justice” for the words from “shall mean” to “arises” substitute “shall mean a lay magistrate”;

(b) in the definition of “quarter sessions” for the words from “shall mean” to the end substitute “shall mean the county court”.

(2) In section 20 (correction of errors) for “the chief clerk for the county court division in which the lands affected thereby shall be situated” substitute “the chief clerk”.

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(3) In section 214 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

The Cemeteries Clauses Act 1847 (c. 65)

16.—(1) In section 7 (correction of errors) for the words from “deposited with” to “shall be situated” substitute “ deposited with the chief clerk ”.

(2) In section 60 (annual accounts) for the words from “charge, to the” to “is situated” substitute “ charge, to the chief clerk ”.

(3) In section 66 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

The Vagrancy (Ireland) Act 1847 (c. 84)

17 In section 8 (interpretation) for the words from “any justice” to “town corporate” substitute “any lay magistrate or district judge (magistrates' courts)”.

The Town Police Clauses Act 1847 (c. 89)

18 In section 77 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

The Railway Act (Ireland) 1851 (c. 70)

19.—(1) In section 4 (deposit of maps) for the words from “or so much thereof as relates” to the end substitute “ with the chief clerk ”.

(2) In section 8 (notice of appointment of arbitrator) for the words “with the chief clerks for the county court division” substitute “ with the chief clerk ”.

(3) In section 11 (retention of documents) for the words from the beginning to “hereby” substitute “ The chief clerk is hereby ”.

The Fines Act (Ireland) 1851 (c. 90)

20.—(1) In section 6 (enforcement) for “two justices of the county” substitute “district judge (magistrates' courts)”.

(2) In section 8 (penalties) for “two justices of the county” substitute “district judge (magistrates' courts)”.

The Summary Jurisdiction (Ireland) Act 1851 (c. 92)

21 In section 1 (jurisdiction of justices) omit—

(a) “within his or their respective jurisdictions”; and

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(b) “(when the case shall be heard in any petty sessions district)”.

The Petty Sessions (Ireland) Act 1851 (c. 93)

22.—(1) In section 26(3) (execution of warrants) for the words from “at any place” to “adjoining county” substitute “ at any place ”.

(2) In section 28 (backing of warrants) for the words from “are not to be found” to “in any of the places” substitute “ are in any of the places ”.

(3) In section 31 (execution of warrant) for the words from “or peace officers” to the end substitute “to execute the warrant by arrest, committal, or levy, as the case may be, and in the case of a warrant to arrest any person and convey him when arrested before any district judge (magistrates' courts) to be dealt with according to law.”.

The Boundary Survey (Ireland) Act 1854 (c. 17)

23 In section 12 (alteration of boundary) for the words from “transmitted to” to “way relate” substitute “ transmitted to the chief clerk ”.

The Towns Improvement (Ireland) Act 1854 (c. 103)

24 In section 1 (interpretation) omit the definition of “assistant barrister”.

The Boundary Survey (Ireland) Act 1859 (c. 8)

25 In section 4 (publication of order) for the words from “transmitted to” to “way relate” substitute “ transmitted to the chief clerk ”.

The Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)

26 In section 3 (offenders) for the words from “taken before” to the end substitute “taken before a district judge (magistrates' courts) to be dealt with according to law.”.

The Tramways (Ireland) Act 1860 (c. 152)

27 In section 33 (entry to land)—

- (a) for the words from “under the hand” to “not having” substitute “under the hand of a district judge (magistrates' courts) who does not have”;
- (b) for the words from “fixed by” to “same district” substitute “fixed by a district judge (magistrates' courts)”.

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The Landlord and Tenant Law Amendment Act (Ireland) 1860 (c. 154)

28.—(1) In section 35 (restraint of waste)—

- (a) for the words from “satisfy” to “of the county” substitute “satisfy a district judge (magistrates' courts)”;
- (b) for the words from “at the next” to “premises are situate” substitute “at the next petty sessions”.

(2) In sections 63 and 69 (deposit of sums due) for “chief clerk for the county court division” substitute “chief clerk”.

(3) In section 79 (view of lands) for the words from “lawful for” to “shall be situate and” substitute “lawful for a district judge (magistrates' courts)”.

(4) In Schedule (A) (forms) omit “for the county of M,” (wherever occurring).

The Railways Act (Ireland) 1864 (c. 71)

29 In section 14 (value of crops) for the words from “determined by” to the end substitute “determined by a district judge (magistrates' courts)”.

The Dockyard Ports Regulation Act 1865 (c. 125)

30 Omit section 22 (jurisdiction of justices over vessels).

The Promissory Oaths Act 1871 (c. 48)

31 In section 2 (persons who may take oaths) for the words from “or at the” to the end substitute “or at the county court”.

*The Matrimonial Causes and Marriage
Law (Ireland) Amendment Act 1871 (c. 49)*

32 In section 23 (register books) for the words from “information thereof to” to “solemnized” substitute “information thereof to a district judge (magistrates' courts)”.

The Public Health (Ireland) Act 1878 (c. 52)

33.—(1) In section 2 (interpretation) omit the definition of “court of quarter sessions”.

- (2) In section 269 (appeals) for subsection (1) substitute—
“(1) The appeal shall be made to the county court.”

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The Settled Land Act 1882 (c. 38)

34 In section 46(10) (payment into court) for the words from “be exercised by” to the end substitute “ be exercised by the county court ”.

The Married Women's Property Act 1882 (c. 75)

35 In section 17 (summary decision of questions) for the words from “in a summary way” to “and the court” substitute “ in a summary way to the High Court or a county court and the court ”

The Explosive Substances Act 1883 (c. 3)

36 In section 6(1) (inquiry into crimes) omit—

- (a) “for the county, borough, or place in which the crime was committed or is suspected to have been committed”;
- (b) “in the said county, borough, or place”.

The Bills of Sale (Ireland) Act (1879) Amendment Act 1883 (c. 7)

37 In section 11 (registration) for the words from “transmit” to the end of the first paragraph substitute “ transmit an abstract in the prescribed form of the contents of such bill of sale to the chief clerk. ”.

The Local Government (Ireland) Act 1898 (c. 37)

38 In section 69 (boundaries)—

- (a) in subsection (3) omit the words from “provided that” to the end;
- (b) omit subsections (4) and (5).

The Open Spaces Act 1906 (c. 25)

39 In section 4(2) (transfer of open space) omit the words from “of the district” to the end.

The Summary Jurisdiction (Ireland) Act 1908 (c. 24)

40 In sections 1(2) and 2(2) (habitual drunkards) for the words from “anyone holding” to the end substitute “ any justice of the peace ”.

The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)

41 In section 11(b) omit the words “and as if after the words “petty sessions” there were inserted “ for the petty sessions district for which the court which made the order acts ”.”.

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The Government Annuities Act 1929 (c. 29)

42 In section 48(1) (power to recover in county court) omit the words from “of the district in which the contract” to the end.

*The Summary Jurisdiction and Criminal
Justice Act (Northern Ireland) 1935 (c. 13)*

43 Omit section 42 (abolition of town courts).

The Water Supplies and Sewerage Act (Northern Ireland) 1945 (c. 17)

44 In section 16(1) (interpretation) omit the definition of “County Court”.

The Agriculture Act (Northern Ireland) 1949 (c. 2)

45 In section 17 (appeals) omit—

- (a) in subsection (1) the words “having jurisdiction for the area in which the land to which the notice relates is situate”;
- (b) subsection (3).

The Maintenance Orders Act 1950 (c. 37)

46.—(1) In section 17(1)(b) (registration of maintenance orders) omit “acting for the same petty sessions district as the court which made the order”.

(2) In section 22(1J)(a) (discharge and variation of maintenance orders) omit the words from “and as if” to the end.

The Foyle Fisheries Act (Northern Ireland) 1952 (c. 5)

47.—(1) In section 6 (deposit of certain documents) for paragraphs (a) and (b) substitute—

“(a) with the chief clerk and clerk of petty sessions; and”.

(2) In section 55(11) omit the words from “sitting for the petty sessions district” to the end.

(3) In section 64 (disposal of things seized) omit “sitting for the petty sessions district in which it was seized”.

The Interpretation Act (Northern Ireland) 1954 (c. 33)

48.—(1) Section 42 (definitions for judicial purposes) is amended as follows.

(2) In subsection (1) in the definition of “county court” omit “for a division”.

(3) Omit subsection (2).

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The Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1958 (c. 9)

49 In section 16(2) for the words from “clerk of the petty sessions district” to the end substitute “ clerk of petty sessions ”.

The Coroners Act (Northern Ireland) 1959 (c. 15)

50.—(1) In section 18 (jury to be summoned in certain cases) for subsection (3) substitute—

“(3) In subsection (1) the reference to the Juries Officer is a reference to the Juries Officer for the division which includes the place specified by the coroner under that subsection; and “Juries Officer” and “division” have the same meanings as in the Juries (Northern Ireland) Order 1996.”.

(2) In section 31(2) (verdicts)—

- (a) omit “county court”;
- (b) at the end add “; and in this subsection “Juries Officer” and “division” have the same meanings as in the Juries (Northern Ireland) Order 1996.”.

The County Courts Act (Northern Ireland) 1959 (c. 25)

51 In section 102 (appointment and assignment of judges)—

- (a) in subsection (3) for “for any division” substitute “ in any county court ”;
- (b) in subsection (4) for “shall assign one or more judges to each division” substitute “ may assign a judge to one or more division ”;
- (c) in subsection (6) at the end add “ and “division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for all or the residual purposes of a county court. ”.

The Northern Ireland Act 1962 (c. 3)

52 In section 29(1) (interpretation) omit the definition of “county court”.

The Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962 (c. 13)

53 In section 13(4)(b) (licences, etc.) omit the words from “for the division in which are situated” to the end.

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The Electoral Law Act (Northern Ireland) 1962 (c. 14)

54 In section 110(2) (recovery of sums) omit the words from “acting for” to “was arrested”.

The Caravans Act (Northern Ireland) 1963 (c. 17)

55.—(1) In section 7(1) (appeal against conditions of site licence) for “the court of summary jurisdiction acting for the petty sessions district in which the land is situated” substitute “ a court of summary jurisdiction ”.

(2) In section 8(2) (appeal against alteration of site licence) for “the court of summary jurisdiction acting for the petty sessions district in which the land to which the site licence relates is situated” substitute “ a court of summary jurisdiction ”.

The Agricultural Marketing Act (Northern Ireland) 1964 (c. 13)

56 In section 13(5) (appeals) omit the words from “for any division” to the end.

The Magistrates' Courts Act (Northern Ireland) 1964 (c. 21)

57.—(1) Omit section 3 (justices of the peace).

(2) In section 9 (appointment and assignment of district judges (magistrates' courts))—

- (a) in subsection (4) for “in any petty sessions district” substitute “in any magistrates' court”;
- (b) in subsection (5) for “petty sessions districts” substitute “ divisions ”;
- (c) at the end add—

“(6) In subsection (5) “division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for all or the residual purposes of a magistrates' court.”.

The Fisheries Act (Northern Ireland) 1966 (c. 17)

58.—(1) In section 170 (appointment of private water bailiffs)—

- (a) in subsection (2) omit the words from “sitting for” to the end;
- (b) in subsection (5) for the words from “within the petty sessions district” to “district is one, the court” substitute “ a court of summary jurisdiction ”;
- (c) in subsection (5A) omit the words from “for the petty sessions district” to the end.

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(2) In section 180 (disposal of things seized) omit the words from “sitting for the petty sessions district” to “was seized”.

(3) In section 188 (offences at sea)—

(a) in subsection (1) for the words from the beginning to “in that district” substitute “ The jurisdiction of any court of summary jurisdiction or lay magistrate ” and omit “within that district”;

(b) in subsection (2) for the words “any resident magistrate or justice of the peace” substitute “ lay magistrate ” and omit the words “within the petty sessions district for which that court sits or in which that magistrate or justice has authority”.

(4) In section 197(1) omit “for the petty sessions district in which that person resides, or in which the offence was committed”.

(5) In Schedule 5A (renewal of appointment of private water bailiff) in paragraph 5 in the definition of “the court” omit the words from “sitting for the petty sessions district” to the end.

The Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35)

59 In section 11(2)(b) (registration of orders) omit “acting for the petty sessions district in which the defendant appears to be”.

The Medicines Act 1968 (c. 67)

60 In Schedule 3 (sampling) in paragraph 28(2) omit the words from “for the district” to the end.

The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29)

61 In section 21 (suspended sentences)—

(a) in subsection (1) omit the words from “having jurisdiction in the county court division” to “he is convicted”;

(b) in subsection (3) omit “having jurisdiction in the place where he is arrested”.

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)

62.—(1) In section 178 (assessors for county court)—

(a) in subsection (1) omit “appropriate”;

(b) in subsection (4) omit the definition of “appropriate lay magistrate”.

(2) In Schedule 2 (constitution of juvenile court)—

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- (a) in paragraph 3(1) omit the words from “for the county court division” to “adjoins that county court division”;
- (b) omit paragraph 7;
- (c) omit paragraph 8(b).

The Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)

63 In section 67(6)(a) (dissolution of society) omit “for the district where the registered office of the society is situate”.

The Immigration Act 1971 (c. 77)

64.—(1) In section 25D (detention of ship, aircraft or vehicle) in subsection (6) for paragraph (c)(i) and (ii) substitute—

“(i) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates’ court;”.

(2) In section 28K (execution of warrant) in subsection (9)(b) omit “for the petty sessions district in which the premises are situated”.

(3) In Schedule 2 (control on entry)—

- (a) in paragraph 24(2)(a) omit “acting for the petty sessions area in which he is arrested”;
- (b) in paragraph 33(2)(a) omit “acting for the petty sessions area in which he is arrested”.

(4) In Schedule 3 (deportation)—

- (a) in paragraph 6(3)(b) omit “acting for the county court division where the person to whom the application relates resides”;
- (b) in paragraph 8(1) omit “for the petty sessions district in which he was arrested”.

The Civil Evidence Act (Northern Ireland) 1971 (c. 36)

65 In section 8(5) (findings of adultery and paternity as evidence in civil proceedings)—

- (a) in the definition of “matrimonial proceedings” omit “divorce”; and
- (b) omit the words “ “divorce county court” has the same meaning as in the Matrimonial Causes (Northern Ireland) Order 1978 and”.

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The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

66.—(1) In section 9(1ZB)(b) (variation and revocation of registered orders) omit the words from “and as if” to the end.

(2) Omit section 17(4) (proceedings in magistrates' courts).

(3) In section 18(2) (rules) after “subsection (1) above” insert “ (other than paragraph (a)) ”.

(4) In section 26(6)(b) (applications for recovery) for the words from “of the court” to the end substitute “ of petty sessions ”.

(5) In section 28D (sending applications)—

(a) in subsection (1) omit “acting for the petty sessions district in which the respondent is residing”;

(b) omit subsections (4) and (5).

(6) Omit section 47(3) (interpretation).

*The Health and Personal Social Services
(Northern Ireland) Order 1972 (NI 14)*

67 In Schedule 6 (removal to suitable premises), in paragraph 1 for the words from “apply to the court of summary jurisdiction” to the end substitute “ apply to a court of summary jurisdiction for an order under paragraph 2 ”.

The Drainage (Northern Ireland) Order 1973 (NI 1)

68 In Schedule 5 (duties of occupiers), in paragraph 6(d) omit the words from “for the division” to “is situate”.

The Consumer Credit Act 1974 (c. 39)

69.—(1) In section 140B (powers of court) omit subsection (7).

(2) In section 143 (jurisdiction of county court) omit paragraphs (a) and (b).

The Friendly Societies Act 1974 (c. 46)

70.—(1) In section 93(3) (dissolution) for the words from “make an application” to “county court or sheriff” substitute “ make an application to the county court, and on any such application the county court ”.

(2) Omit section 102 (jurisdiction of magistrates' courts in Northern Ireland).

The Treatment of Offenders (Northern Ireland) Order 1976 (NI 4)

71 In Article 5 (liability to be dealt with)—

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- (a) in paragraph (1)(b) omit the words from “having jurisdiction in the county court division” to “was convicted”;
- (b) in paragraph (2)(b) omit “acting for the same county court division as that court”.

The Criminal Damage (Compensation)(Northern Ireland) Order 1977 (NI 14)

72 In Article 2 (interpretation) omit paragraph (3).

The Rates (Northern Ireland) Order 1977 (NI 28)

73 In Article 32(3) (recovery of rates) omit the words from “having jurisdiction” to the end.

The Judicature (Northern Ireland) Act 1978 (c. 23)

- 74.**—(1) Omit section 103 (justices of the peace).
- (2) In section 120(1) (interpretation)—
- (a) in the definition of “county court” omit “for a division”;
 - (b) in the definition of “division” omit the words in brackets.
- (3) In Schedule 6 (transitional provisions), omit paragraph 8.

The Interpretation Act 1978 (c. 30)

75 In Schedule 1 (definitions), in paragraph (b) of the definition of “county court”, omit “for a division”.

The Matrimonial Causes (Northern Ireland) Order 1978 (NI 15)

- 76.**—(1) In Article 2(2) (interpretation) omit the definition of “divorce county court”.
- (2) In Article 35(4) (order for repayment of sums paid under certain orders) omit the words from “and, accordingly” to the end.
- (3) In Article 37(3) (alteration of agreements) omit the words from “and at least” to “for which the court acts”.
- (4) In Article 38(1) (alteration of agreements after death) omit the words from “and, accordingly” to the end.
- (5) In Article 40(3) (orders for repayment of certain sums) omit the words from “and, accordingly” to the end.
- (6) In Article 48 (the court)—
- (a) in paragraph (1) for sub-paragraph (b) substitute—

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“(b) a county court.”;

- (b) omit paragraphs (1A), (1B) and (2);
- (c) in paragraph (3) omit “If an order is made under paragraph (1),”;
- (d) in paragraphs (3)(a) and (c) omit “divorce” (wherever occurring);
- (e) in paragraph (4) omit “divorce” and “which is exercisable by county courts generally”;
- (f) in paragraph (5) omit “If an order is made under paragraph (1),” and “divorce” (wherever occurring);
- (g) in paragraph (8) omit “divorce”;
- (h) in paragraph (9) omit “divorce”.

The Protection of Children (Northern Ireland) Order 1978 (NI 17)

77.—(1) In Article 4(1) (entry, search and seizure) omit “in the petty sessions district for which he acts”.

(2) In the Schedule (forfeiture proceedings) in paragraph 12 omit the words from “for the petty sessions district” to the end.

The Inheritance (Provision for Family and Dependants) (Northern Ireland) Order 1979 (NI 8)

78.—(1) In Article 2(2) (interpretation) omit the definitions of “civil partnership proceedings county court” and “divorce county court”.

(2) In Article 17(1) (restriction imposed on divorce proceedings) omit “divorce” in the second place where it occurs.

(3) In Article 17ZA (restriction imposed on civil partnership proceedings) omit “civil partnership proceedings”.

The Administration of Estates (Northern Ireland) Order 1979 (NI 14)

79 In Article 12(1) (jurisdiction of county court) omit “for the division in which the deceased, at the time of his death, had a fixed place of abode”.

The County Courts (Northern Ireland) Order 1980 (NI 3)

80.—(1) In Article 2(2) (interpretation)—

- (a) for the definition of “chief clerk” substitute—
 - ““chief clerk” means an officer of the Department designated as such by the Department;”
- (b) in the definition of “court” omit “for a division”;

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- (c) after the definition of “defendant” insert—
““the Department” means the Department of Justice;”;
- (d) for the definition of “division” substitute—
““division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for any purposes of a county court;”;
- (e) in the definition of “the Office” omit “for the division in which those proceedings are taken”.
- (2) In Article 3 (county courts)—
 - (a) in the heading omit “**to be held for divisions**”;
 - (b) omit paragraph (1);
 - (c) for paragraphs (2) to (4) substitute—
 - “(2) A court shall be held at such place or places in each division as may be specified in directions given under Article 4.
 - (3) A court held under paragraph (2) shall—
 - (a) be called a county court and be a court of record; and
 - (b) have throughout Northern Ireland the jurisdiction and powers conferred on a county court by this Order or any other statutory provision.”.
- (3) In Article 4 (directions of Lord Chief Justice) omit paragraph (d).
- (4) In Article 6 (holding of ordinary courts)—
 - (a) in paragraph (1)(a) for “for each division” substitute “ in each division ”; and
 - (b) omit paragraph (2).
- (5) In Article 8 (adjournments) omit paragraphs (5) to (8).
- (6) In Article 10 (general civil jurisdiction) omit paragraphs (3) and (3A).
- (7) In Article 21(1) (transfer of certain money from High Court to county court) for “the county court of the division in which that person resides or such other” substitute “ such ”.
- (8) In Article 25 (transfer from one county court to another) omit paragraph (2).
- (9) In Article 34(2) (powers of county court) for the words from the beginning to “in his division” substitute “ A judge shall have jurisdiction in any proceedings pending in a county court ”.
- (10) In Article 63 (cases stated)—
 - (a) in paragraph (1)(a) omit “having jurisdiction in the county court division in which the county court sat”;

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- (b) in paragraph (7) for “the resident magistrate or justice of the peace who fixed the amount of the recognisance or any other resident magistrate or justice of the peace having jurisdiction in the place where the recognisance was taken” substitute “a district judge (magistrates' courts) or lay magistrate” and omit “ for the county court division in which the recognisance was taken ”.

The Domestic Proceedings (Northern Ireland) Order 1980 (NI 15)

- 81.**—(1) In Article 29 (case more suitable for High Court) omit the words “acting for the same petty sessions district as the first-mentioned court”.
- (2) In Article 30 (powers of High Court and county court)—
- (a) in paragraph (1) omit “divorce”;
 - (b) in paragraph (2) omit “(whether or not it is a divorce county court)”;
 - (c) omit paragraph (3).
- (3) In Article 32(1) (jurisdiction)—
- (a) omit “and without prejudice to Article 77(3) of the Magistrates' Court (Northern Ireland) Order 1981”;
 - (b) omit the words from “if at the date of the making of the order” to the end.
- (4) In Article 34(1) (constitution of courts) omit “acting for the same petty sessions district as that court”.

The Betting and Gaming Duties Act 1981 (c. 63)

- 82** In Schedule 1 (betting duties) in paragraph 15(5) omit “situated in the same petty sessions district as those premises”.

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

- 83.**—(1) In Article 7(1) (review of test) omit “acting for the petty sessions district in which he resides”.
- (2) In Article 16(1) (driving licence appeals) omit “acting for the petty sessions district in which he resides”.
- (3) In Article 76(1) (vehicle licence appeals) omit “acting for the petty sessions district in which the holder of or applicant for the licence resides”.
- (4) In Article 79A(5) (taxi driver's licence appeals) omit “acting for the petty sessions district in which he resides”.

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The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)

84.—(1) In Article 2(2) (interpretation) omit the definition of “appropriate county court”.

(2) In Article 6(c) (judgments to which Order does not apply) omit “divorce” and “civil partnership proceedings”.

(3) In Article 17(6) (limitation on enforcement) for the words from “means” to the end substitute “means—

(a) where the judgment was given by a county court, any county court,

(b) where the judgment was given by a court of summary jurisdiction, any court of summary jurisdiction,

(c) in any other case, the court by which the judgment was given.”.

(4) In Articles 52(1) and (3) (order charging land) omit “appropriate”.

(5) In Article 96A (maintenance orders) in paragraphs (1), (3)(a), (7) and (9) for “divorce county court or civil partnership proceedings county court” (wherever occurring) substitute “county court”.

(6) In Article 98(a)(ii) (attachment of earnings order) omit “divorce” and “civil partnership proceedings”.

(7) In Article 107(1)(c) (committal for default) omit “divorce” and “civil partnership proceedings”.

(8) In Article 110(c) (appeal from committal order) omit “appropriate”.

The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8)

85.—(1) In Article 28 (free legal aid)—

(a) in paragraph (4)(a) omit “for the relevant petty sessions district”;

(b) in paragraph (5) for “any court acting for the relevant petty sessions district” substitute “a court of summary jurisdiction”.

(2) In Article 30 (free legal aid on appeal)—

(a) in paragraph (1) omit “acting for the same petty sessions district” and “acting for that district”;

(b) in paragraph (2)(b) omit “for the relevant petty sessions district”.

(3) In Article 39 (interpretation) omit the definition of “relevant petty sessions district”.

The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

86.—(1) In Article 2(3) (definitions)—

(a) omit the definitions of “chief clerk” and “county court division”;

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(b) after the definition of “decree” insert—

““the Department” means the Department of Justice;”.

(2) For Article 2 (4) (references to officers of the court) substitute—

“(4) References in this Order—

(a) to chief clerks and to clerks of petty sessions are references to officers of the Department designated as such by the Department;

(b) to clerks of petty sessions include references to officers of the Department designated by the Department as assistant or deputy clerks of petty sessions.”.

(3) Omit Article 4 (local jurisdiction of justices of the peace).

(4) For Article 11 and the Part heading immediately above it substitute

“PART 3 **N.I.**

THE HOLDING OF PETTY SESSIONS

Petty sessions

11.—(1) Sessions for the holding of courts of summary jurisdiction shall continue to be known as petty sessions and are so referred to in this Order.

(2) The Lord Chief Justice may give directions as to—

(a) the places at which petty sessions are to be held;

(b) the days on which petty sessions are to be regularly held;

(c) the ordinary hours of sitting of courts of summary jurisdiction;

(d) such other incidental, consequential, transitional or supplementary matters as appear to the Lord Chief Justice to be necessary or proper.”.

(5) For Article 16 substitute—

“General jurisdiction to deal with charges

16.—(1) A magistrates' court has jurisdiction—

(a) to conduct a preliminary inquiry or a preliminary investigation into any indictable offence;

(b) to hear and determine a complaint charging any summary offence.

(2) A district judge (magistrates' courts) exercising the powers conferred by Article 45 and 46 has jurisdiction to try summarily any indictable offence.

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(3) References above to offences are to offences, wherever committed, which are cognisable under the law of Northern Ireland.”.

(6) Omit Article 17 (offences committed on boundaries, etc.).

(7) In Article 18(4)(b) (summary trial) omit the words “sitting for the petty sessions district for which the resident magistrate or lay magistrate acted”.

(8) For Article 20 substitute—

“Issue of summons to accused or warrant for his arrest

20.—(1) On a complaint being made to a lay magistrate that a person has, or is suspected of having, committed a summary offence, the lay magistrate may issue a summons directed to that person requiring him to appear before a magistrates' court to answer to the complaint.

(2) On a complaint being made to a lay magistrate that a person has, or is suspected of having, committed an indictable offence, the lay magistrate may either—

(a) issue a summons requiring him to appear before a magistrates' court; or

(b) issue a warrant to arrest that person and bring him before a magistrates' court

(3) Where the offence charged in the complaint is an indictable offence, a warrant under this Article may be issued by a lay magistrate at any time notwithstanding that a summons has previously been issued and whether before or after the time mentioned in such summons for the appearance of the person summoned.

(4) Where a lay magistrate is satisfied that a summons issued under paragraph (1) has not been served, the lay magistrate may, without a complaint being made to him, re-issue the summons extending the time for the appearance of the person summoned.

(5) Where a district judge (magistrates' courts) is satisfied that a person suspected of having committed a summary offence cannot for any reason be served with a summons, the district judge (magistrates' courts) may issue a warrant for the arrest of that person notwithstanding that a summons has not been first issued.

(6) A warrant may be issued in respect of any offence notwithstanding that the offence was committed outside Northern Ireland if an indictment for the offence may legally be preferred in Northern Ireland.

(7) A warrant shall not be issued under this Article unless the complaint is in writing and substantiated on oath.”.

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- (9) In Article 32(1)(a) (documents) omit “for the district in which the preliminary inquiry is to be held”.
- (10) Omit Article 36 (adjournment of committal proceedings).
- (11) In Article 47 (remands)—
- (a) in paragraph (1)(a) omit “for the county court division for which the court is acting or before any other magistrates' court having jurisdiction to conduct the proceedings”;
 - (b) in paragraph (4E)(a) for the words from “the magistrates' court which” to the end substitute “a magistrates' court”;
 - (c) in paragraph (4F) for the words from “the magistrates' court which” to the end substitute “a magistrates' court”.
- (12) In Article 52 (sentencing of person convicted by another court) omit the words from “acting for the same petty sessions district” to the end.
- (13) In Article 72 (issue of process) in paragraphs (1) and (2) omit the words from “acting for the petty sessions district” to the end.
- (14) In Article 75 (transfer to county court) omit paragraph (3).
- (15) In Article 77 (jurisdiction on civil complaint) omit paragraph (3).
- (16) In Article 79 (issue of summons) omit “for a county court division” and “sitting for that county court division”.
- (17) In Article 85(4) (orders for periodic payment) omit the words from “of the petty sessions district” to the end.
- (18) In Article 85A (proceedings by collection officer)—
- (a) in paragraphs (1), (2) and (3) omit “of the relevant court”;
 - (b) in paragraph (4)(a) omit “of a relevant court”;
 - (c) in paragraph (7) omit the definition of “the relevant court”.
- (19) In Article 85B (breach of maintenance order)—
- (a) in paragraph (1) omit “for the county court division which includes the petty sessions district for which the relevant court is acting”;
 - (b) in paragraph (2) for “the relevant court” (twice) substitute “ a court of summary jurisdiction ”;
 - (c) in paragraph (3) for “relevant court” substitute “ court of summary jurisdiction ”;
 - (d) in paragraph (5) omit the definition of “the relevant court”.
- (20) In Article 96(1) (transfer of fines) omit “in a petty sessions district” and “acting for that district”.
- (21) In Article 98 (enforcement: periodical payments)—

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- (a) in paragraph (1)(a) omit “acting for the same petty sessions district as the court which made the order”;
 - (b) in paragraph (1)(b) omit the words from “acting for the same petty sessions district” to the end.
- (22) In Article 99 (enforcement: other payments)—
- (a) in paragraph (1)(a) omit “acting for the same petty sessions district as the court which made the order”;
 - (b) in paragraph (1)(b) omit the words from “acting for the same petty sessions district” to the end.
- (23) In Article 112 (enforcement: other orders)—
- (a) in paragraph (3)(a) omit “acting for the same petty sessions district as the court which made the order”;
 - (b) in paragraph (3)(b) omit the words from “acting for the same petty sessions district” to the end;
 - (c) omit paragraph (7).
- (24) In Article 113(7) (review of commitment) omit the words from “sitting for” to the end.
- (25) In Article 127(3) (power to bind over) omit the words from “where the person” to the end.
- (26) In Article 128(1) (discharge of recognizances) omit the words from “having jurisdiction either³/₄” to the end of sub-paragraph (b).
- (27) In Article 144 (procedure on appeal)—
- (a) in paragraph (2A) omit “having jurisdiction in the county court division in which the magistrates' court sat”;
 - (b) in paragraph (3) omit “having jurisdiction in the county court division in which the magistrates' court sat”.
- (28) In Article 148(1) (bail on appeal) omit “having jurisdiction in the petty sessions district for which the court acted”.
- (29) In Article 149(1) (recognizance to prosecute appeal) omit “having jurisdiction in the petty sessions district for which that court acted”.
- (30) In Article 151(1) (estreat of recognizance) omit the words from “acting for the same petty sessions district” to “case was stated”.

The Civil Jurisdiction and Judgments Act 1982 (c. 27)

87.—(1) Omit section 15(3) (interpretation).

(2) In section 36(4)(b) (registration of maintenance orders), in the substituted section 13(5A)(a), omit the words from “ and as if ” to the end.

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The Criminal Justice Act 1982 (c. 48)

- 88** In Schedule 13 (community service orders - reciprocal arrangements)—
- (a) in paragraph 7(2)(a) omit “acting for a petty sessions district in Northern Ireland for the time being specified in it”;
 - (b) in paragraph 8(2)(a) omit “acting for a petty sessions district in Northern Ireland for the time being specified in it”.

The Probation Board (Northern Ireland) Order 1982 (NI 10)

- 89** In Article 5(1) (appointment of probation officers)—
- (a) in sub-paragraph (a) omit “and assign one or more to each petty sessions district or districts”;
 - (b) in sub-paragraph (b) omit “in any petty sessions district”.

The Video Recordings Act 1984 (c. 39)

90 Omit section 16D (extension of jurisdiction of magistrates' courts in Northern Ireland).

*The Betting, Gaming, Lotteries and Amusements
(Northern Ireland) Order 1985 (NI 11)*

- 91.**—(1) In Article 15(10) (form and duration of licence) for the words from “upon” to “situated” substitute “upon—
- (a) the clerk of petty sessions; and
 - (b) the district commander of the police district in which the bookmaker's licence was granted, or as the case may be, the licensed office is situated;”.
- (2) In Article 26 (temporary continuance of business) omit paragraph (3).
- (3) In Article 66(9) (form and duration of new bingo club licence) for the words from “upon” to “situated” substitute “upon—
- (a) the clerk of petty sessions; and
 - (b) the district commander of the police district in which the bingo club premises are situated;”.
- (4) In Article 86(9) (form and duration of new gaming machine certificates) for the words from “upon” to “situated” substitute “upon—
- (a) the clerk of petty sessions; and
 - (b) the district commander of the police district in which the premises in which the business is carried on are situated;”.

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- (5) In Article 143(7) (form and duration of new lottery certificates) for the words from “upon” to “situated” substitute “upon—
- (a) the clerk of petty sessions; and
 - (b) the district commander of the police district in which the premises in which the business is carried on are situated;”.
- (6) In Article 173 (notification of change of directors) for the words from “upon” to “situated” substitute “upon—
- (a) the clerk of petty sessions; and
 - (b) the district commander of the police district in which the licence, certificate or permit was granted or, in the case of a bookmaking office licence, in which the licensed office is situated.”.
- (7) In Article 174 (register of licences, certificates, etc.)—
- (a) in paragraph (1) for “Each clerk of petty sessions shall keep” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) ” and for the words from “granted” to the end substitute “ granted by a county court or a court of summary jurisdiction ”;
 - (b) in paragraph (2) for the words from the beginning to “record” substitute “ There shall be recorded ”;
 - (c) in paragraph (3) for the words from the beginning to “keep” substitute “ The Department of Justice shall also cause to be kept ” and in subparagraph (a) omit “by him”;
 - (d) omit paragraph (4).
- (8) In Article 175 (register of clubs)—
- (a) in paragraph (1) for the words from the beginning to “petty sessions district” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs ”;
 - (b) in paragraph (2) for the words from the beginning to “record” substitute “ There shall be recorded ”.
 - (c) omit paragraph (3).
- (9) In Article 177 (returns to the Department)—
- (a) for the words from the beginning to “a statement” substitute “ The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department ”;
 - (b) in paragraph (a) for the words from “granted” to the end substitute “ granted by a county court or court of summary jurisdiction ”;
 - (c) in paragraph (b) omit “having premises within that district”.

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(10) In Article 178(1) (registers as evidence) omit “kept by him”.

(11) In Article 179(2) (proof of licence) omit the words from “for the petty sessions district in which” to “club is registered”.

(12) In Schedule 1 (applications for grant of bookmakers' licence) omit paragraph 1.

(13) In Schedule 3 (applications for renewal of bookmakers' licence)—

(a) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 2(1) omit “for the petty sessions district”.

(14) In Schedule 4 (applications for renewal of bookmaking office licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

(15) In Schedule 10 (applications for renewal of bingo club licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”.

(16) In Schedule 12 (applications for renewal of gaming machine licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

(17) In Schedule 17 (applications for renewal of lottery licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

The Credit Unions (Northern Ireland) Order 1985 (NI 12)

92 In Article 70(6)(a) (dissolution of credit union) omit “for the division in which the registered office of the credit union is situated”.

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (NI 15)

93.—(1) In Schedule 1 (licensing of places of entertainment), in paragraph 13(1) omit “for the county court division in which the place is situated”.

(2) In Schedule 2 (licensing of sex establishments)—

(a) in paragraph 26(1) omit “for the relevant county court division”;

(b) in paragraph 26(4) omit the definition of “the relevant county court division”.

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The Mental Health (Northern Ireland) Order 1986 (NI 4)

94.—(1) Schedule 2A (supervision and treatment orders) is amended as follows.

(2) In paragraph 3(1) for head (b) substitute—

“(b) require him to be under the supervision of a probation officer.”.

(3) Omit paragraph 3(4).

(4) In paragraph 7 for sub-paragraph (1) substitute—

“(1) This paragraph applies where—

(a) a supervision and treatment order is in force in respect of any person;

(b) that order requires the supervised person to be under the supervision of a social worker of an authorised HSC trust; and

(c) a court of summary jurisdiction is satisfied that the supervised person proposes to change, or has changed, his residence to the area of another authorised HSC trust.”.

(5) In paragraph 7(2) for the words from “or as the case may be” to the end substitute “ for the area specified in the order ”.

(6) In paragraph 7(3) omit “or, as the case may be, district” and “or district”.

(7) In paragraph 8(1) omit “for the petty sessions district concerned”.

(8) In paragraph 9(1) omit “for the petty sessions district concerned”.

(9) In paragraph 11 for sub-paragraph (1) substitute—

“(1) On the making under paragraph 7 or 8 of an order amending a supervision and treatment order, the clerk of petty sessions shall forthwith give copies of the amending order to the supervising officer.”.

The Adoption (Northern Ireland) Order 1987 (NI 22)

95.—(1) In Article 2(2) (interpretation) in the definition of “authorised court”—

(a) in paragraph (b)(ii) omit “within whose division the applicant lives”;

(b) in paragraph (c) for sub-paragraphs (ii) and (iii) substitute—

“(ii) the county court;”.

(2) In Article 52(1) (amendment of orders) for “a county court held for the same division” substitute “ any other county court ”.

(3) In Article 55(3) (revocation of adoptions on legitimation) for “a court held for the same division” substitute “ any other county court ”.

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*The Matrimonial and Family Proceedings
(Northern Ireland) Order 1989 (NI 4)*

96 In Article 40(1) (the court) omit sub-paragraph (a).

The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

97.—(1) In Article 18(10A)(a) (execution of warrants) omit “for the petty sessions district in which the magistrate was acting when he issued the warrant”.

(2) In Article 47 (detention after charge) for paragraphs (2) to (4) substitute—

“(2) He shall be brought before a magistrates' court as soon as is practicable and in any event not later than the day next following the day on which he is charged.

(3) Where the day next following the day on which he is charged with the offence is Christmas Day, Good Friday or a Sunday, he shall be brought before a magistrates' court not later than the next following day which is not one of those days.”.

The Human Fertilisation and Embryology Act 1990 (c. 37)

98 In section 30(8)(c) (parental orders in favour of gamete donors) for “any county court within whose jurisdiction the child is” substitute “ a county court ”.

The Criminal Justice Act 1991 (c. 53)

99 In Schedule 3 (reciprocal enforcement of certain orders) in paragraph 10(2) (a) omit “acting for the petty sessions district in Northern Ireland for the time being specified in the order”.

The Road Traffic (Amendment) (Northern Ireland) Order 1991 (NI 3)

100 In Schedule 2 (existing licences) in paragraph 6(1) omit “acting for the petty sessions district in which the holder of the licence resides”.

The Friendly Societies Act 1992 (c. 40)

101 Omit section 110 (jurisdiction of magistrates' courts in Northern Ireland)

The Tourism (Northern Ireland) Order 1992 (NI 3)

102 In Article 19(1) (appeals) omit “for the county court division in which that establishment is situated”.

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The Family Law (Northern Ireland) Order 1993 (NI 6)

103 In Article 12(3)(g) (family proceedings rules) for “divorce county court or civil partnership proceedings county court” substitute “ county court ”.

The Disability Discrimination Act 1995 (c.50)

- 104.**—(1) In section 38 (appeal against refusal of exemption certificate)—
- (a) in subsection (1) for “the appropriate court” substitute “ a court of summary jurisdiction ”;
 - (b) omit subsection (3).
- (2) In Schedule 8 (modifications for Northern Ireland) omit paragraph 22(3).

The Children (Northern Ireland) Order 1995 (NI 2)

- 105.**—(1) In Article 166 (appeals)—
- (a) in paragraph (2)(b) omit “a divorce county court”;
 - (b) in paragraph (2)(c) omit “a civil partnership proceedings county court”;
 - (c) in paragraph (4) omit sub-paragraph (a), the word “such” in sub-paragraph (b) and the words after sub-paragraph (b).
- (2) In Schedule 1 (financial provision for children) in paragraph 12(6) omit the words from “and at least one of the parties” to “for which the court sits”.
- (3) In Schedule 7 (jurisdiction) omit—
- (a) paragraph 1(1)(c);
 - (b) paragraph 4(4) and (7).

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

- 106** In Schedule 1 (supplementary provisions relating to proceedings)—
- (a) in paragraph 1(1) omit “for the county court division in which the proceedings are brought”;
 - (b) omit paragraph 4(3).

The Criminal Procedure and Investigations Act 1996 (c. 25)

107 Omit section 76 and paragraph 33 of Schedule 4 (powers of magistrates' court).

The Juries (Northern Ireland) Order 1996 (NI 6)

- 108.**—(1) In Article 2(2) (interpretation)—

Status: Point in time view as at 29/01/2016.

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(a) for the definition of “division” substitute—

““division” means an administrative court division specified under section 2(2)(a) of the Justice Act (Northern Ireland) Act 2015 for all purposes of a county court or, if different administrative court divisions are specified for different purposes of a county court, an administrative court division specified under section 2(2)(c) of that Act for the residual purposes of the court;”;

(b) for the definition of “Juries Officer” substitute—

““Juries Officer”, in relation to a division, means such officer of the Department as may be designated by the Department in relation to that division;”.

(2) In Article 4 (preparation of Jurors List)—

(a) in paragraph (8) omit “whether by reference to the area of jurisdiction of any court or courts or otherwise”;

(b) in paragraph (10) omit “whether by reference to the area of jurisdiction of any court or courts or otherwise”.

(3) In Article 5 (selection of names) in paragraph (5) for sub-paragraph (a) substitute—

“(a) a division in which the relevant magistrates' court sat;”.

The Road Traffic (Offenders) (Northern Ireland) Order 1996 (NI 10)

109.—(1) In Article 2(2) omit the definition of “petty sessions district”.

(2) In Article 36 (reduced disqualification) omit paragraph (6).

(3) In Article 38(2) (interpretation) in the definition of “supervising court” omit the words from “acting for” to the end.

(4) In Article 65(3) (notification of trial) omit the words from “of the county court division” to “is situated”.

(5) In Article 75(3) (registration certificates) omit the words from “for such petty sessions district” to the end.

The Licensing (Northern Ireland) Order 1996 (NI 22)

110.—(1) In Article 2(2) (interpretation) in the definition of “licensed premises” for “by the clerk of petty sessions” substitute “under Article 34(2) ”.

(2) In Article 5(4) (premises for which licence may be granted) omit “by the clerk of petty sessions for the petty sessions district in which the premises are situated”.

(3) In Article 28(3) (temporary continuance) for the words from “upon” to “situated” substitute “upon—

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(a) the clerk of petty sessions; and

(b) the district commander of the police district in which the premises are situated;”.

(4) In Article 29(3) (temporary continuance) omit the words from “for the petty sessions district” to the end.

(5) In Article 30(1) (occasional licences) omit the words from “sitting in the county court division” to “includes that place”.

(6) In Article 31(1)(d)(ii) (consent for alterations) omit “for the petty sessions district in which the premises are situated”.

(7) In Article 34 (register of licences) in paragraph (1) for the words before sub-paragraph (a) substitute—

“(1) The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register, in such form as may be prescribed, of licences granted under this Order; and there shall be recorded in the register in respect of each licence—”.

(8) In Article 34(1) omit sub-paragraph (i).

(9) In Article 34(2) for the words from the beginning to “received by him under paragraph (3)” substitute “ The Department of Justice shall also arrange for the keeping of the plans received under ”.

(10) Omit Article 34(3).

(11) In Article 34(4) for “A clerk of petty sessions may make such alterations” substitute “ The Department may cause such alterations to be made ”.

(12) For Article 36 substitute—

“Information for Department

36 The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing the number of premises of each of the kinds mentioned in Article 5 having a current licence and containing such other information as the Department may require”.

(13) In Article 37(1) (register as evidence) omit “kept by him”.

(14) In Article 38(2) (proof of licence) for “the clerk of petty sessions for the petty sessions district in which the premises for which a licence was granted are situated” substitute “ a clerk of petty sessions ”.

(15) In Article 69A(1) (closure orders) for “petty sessions district, a court of summary jurisdiction acting for the district” substitute “ place, a court of summary jurisdiction ”.

(16) In Articles 69C(1)(a), 69D(1)(b), 69E and 69F(1), (2), (3) and (4) omit “relevant”.

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(17) In Article 69J(4) (interpretation) omit the definition of “relevant court of summary jurisdiction”.

(18) In Article 75 (suspension procedure) in paragraph (3) for sub-paragraphs (a) and (b) substitute “ retain the licence ”.

(19) In Schedule 3 (approval of sites), omit paragraph 4(3).

(20) In Schedule 4 (applications for renewal of licence)—

(a) in paragraph 2 for “clerk of petty sessions for each petty sessions district” substitute “ Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 3 omit “for the petty sessions district in which the premises are situated”.

The Registration of Clubs (Northern Ireland) Order 1996 (NI 23)

111.—(1) In Article 12 (temporary continuance) omit paragraph (3).

(2) In Article 16 (register of clubs)—

(a) in paragraph (1) for the words from the beginning to “petty sessions district” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs ”;

(b) in paragraph (2) for “Each clerk of petty sessions shall record” substitute “ There shall be recorded ”;

(c) omit paragraphs (3) and (4);

(d) in paragraph (5) for “A clerk of petty sessions may make such alterations” substitute “ The Department may cause such alterations to be made ”.

(3) In Article 18 (returns to Department) for the words from the beginning to the end of paragraph (a) substitute—

“The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing—

(a) the number of clubs having a current certificate of registration;”.

(4) In Article 19(1) (register as evidence) omit “kept by him”.

(5) In Article 20(2) (proof of licence) for “the clerk of petty sessions for the petty sessions district in which the club is registered” substitute “ a clerk of petty sessions ”.

(6) In Article 41(1)(a) (notification of alterations) omit “for the petty sessions district in which the premises of the registered club are situated”.

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(7) In Article 41A(1) (closure orders) for “petty sessions district, a court of summary jurisdiction acting for the district” substitute “ place, a court of summary jurisdiction ”.

(8) In Articles 41C(1)(a), 41D(1)(b), 41E and 41F(1), (2), (3) and (4) omit “relevant”.

(9) In Article 41J(3) (interpretation) omit the definition of “relevant court of summary jurisdiction”.

(10) In Article 49(2) (procedure in connection with cancellation and disqualification) for sub-paragraphs (a) and (b) substitute “ retain the certificate of registration ”.

(11) In Schedule 3 (renewal of registration)—

(a) in paragraph 2 for “clerk of petty sessions for each petty sessions district” substitute “ Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 3(b) omit “for the petty sessions district in which the premises of the club are situated”.

The Criminal Justice (Northern Ireland) Order 1996 (NI 24)

112.—(1) In Article 10 (probation orders) omit paragraphs (2) and (5).

(2) In Article 13 (community service orders)—

(a) in paragraph (6) omit the words from the beginning to “will reside; and”;

(b) in paragraph (8) omit the words from “and the court shall” to the end.

(3) In Article 26(2) (release on licence of sexual offenders) for the words “appointed for or assigned to the petty sessions district within which the offender resides” substitute “ assigned by the Probation Board ”.

(4) In Article 27 (breach of licence conditions)—

(a) in paragraph (2) omit “acting for the petty sessions district in which he resides”;

(b) in paragraph (9)(b) omit “acting for the petty sessions district in which the offender resides”;

(c) omit paragraphs (10) and (11).

(5) In Schedule 2 (enforcement of certain community orders)—

(a) in paragraph 1(1) omit the definition of “the petty sessions district concerned”;

(b) in paragraph 2(2)(b)(ii) omit “acting for the petty sessions district concerned”;

(c) in paragraph 2(3) omit “having jurisdiction in the place where he is arrested”;

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- (d) in paragraph 7(1) omit “acting for the petty sessions district concerned”;
- (e) in paragraph 9(1)(a)(i) omit “other than a court acting for the petty sessions district concerned”;
- (f) omit paragraph 12;
- (g) in paragraph 13(1) for the words from the beginning to “petty sessions district concerned” substitute “ A court of summary jurisdiction ”;
- (h) in paragraph 14(1) omit “for the petty sessions district concerned”;
- (i) in paragraph 15(b) omit “acting for the petty sessions district concerned”;
- (j) in paragraph 17(2) omit the words from “or substituting a new petty sessions district” to the end;
- (k) in paragraph 18(1) for the words from “forthwith” to the end substitute “ forthwith give copies of the amending order to the responsible officer ”.

The Race Relations (Northern Ireland) Order 1997 (NI 6)

113 In Article 54(8) (claims) omit “outside its division”.

*The Family Homes and Domestic Violence
(Northern Ireland) Order 1998 (NI 6)*

114.—(1) In Article 34 (jurisdiction) omit—

- (a) paragraph (3)(c); and
- (b) paragraph (9).

(2) In Article 39 (appeals)—

- (a) in paragraph (2)(b) omit “a divorce county court”;
- (b) in paragraph (2)(c) omit “a civil partnership proceedings county court”;
- (c) in paragraph (4) omit sub-paragraph (a), the word “such” in sub-paragraph (b) and the words from “and except” to the end;
- (d) in paragraph (6) omit “a divorce county court” and “a civil partnership proceedings county court”.

The Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)

115.—(1) In Article 11(1)(a) (notice of charge against child) omit “assigned to the petty sessions district in which the court will sit”.

(2) In Article 31 (remand to obtain information)—

- (a) in paragraph (1) omit “acting for the same petty sessions district”;

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- (b) in paragraph (3) omit the words from “acting for the same petty sessions district” to “county court division”.
- (3) In Article 36B (restrictions on reparation orders) omit paragraph (3).
- (4) In Article 36ZC (parental compensation orders)—
 - (a) in paragraph (4) omit “which has made a parental compensation order”;
 - (b) omit paragraph (7).
- (5) In Article 36D (reparation orders)—
 - (a) omit paragraph (1);
 - (b) omit paragraph (3);
 - (c) omit paragraph (5).
- (6) In Article 36F (restrictions on community responsibility orders) omit paragraph (3).
- (7) In Article 36I (supplementary provisions on community responsibility orders)—
 - (a) omit paragraph (1);
 - (b) omit paragraph (2);
 - (c) omit paragraph (4).
- (8) In Article 36K (youth conference orders)—
 - (a) omit paragraph (5);
 - (b) omit paragraph (7).
- (9) In Article 38(2)(i) (attendance centre orders) omit “for the petty sessions district in which that child resides or in which the attendance centre specified in the order is situated”.
- (10) In Schedule 1A (breach, revocation and amendment of certain orders)—
 - (a) in paragraph 1(2) omit the words from “acting for the petty sessions district” to the end;
 - (b) omit paragraph 5(6)(c);
 - (c) omit paragraph 7(3);
 - (d) omit paragraph 8(8)(d).

The Criminal Justice (Northern Ireland) Order 1998 (NI 20)

- 116.**—(1) In Article 9 (drug treatment orders) omit—
- (a) paragraph (6);
 - (b) paragraph (9)(b) and the word “or” immediately before it;
 - (c) paragraph (10).

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(2) In Article 10(9)(b) (periodic review of orders) for the words from “resident magistrate” to the end substitute “district judge (magistrates' courts)”.

The Fair Employment and Treatment (Northern Ireland) Order 1998 (NI 21)

117 In Article 40(8) (claims) omit “outside its division”.

The Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)

118 In Schedule 4 (recovery of contributions), omit paragraph 3(3).

The Justice (Northern Ireland) Act 2002 (c. 26)

119.—(1) Omit section 9 (lay magistrates).

(2) In section 90(1A) (subordinate legislation) omit “, 9(4)”.

(3) In Schedule 4 (amendments) omit paragraph 17.

The Company Directors Disqualification (Northern Ireland) Order 2002 (NI 4)

120.—(1) In Article 5(2)(c) (disqualification on conviction) omit “acting for the same petty sessions district”.

(2) In Article 8(2) (disqualification on summary conviction) omit “acting for the same petty sessions district”.

The Finance Act 2003 (c. 14)

121 In Schedule 12 (stamp duty land tax)—

(a) in paragraph 5(3)(a) omit “for a division”;

(b) in paragraph 5(3)(d) for “sections 21 and 42(2)” substitute “section 21” and for “apply” substitute “applies”.

The Crime (International Co-operation) Act 2003 (c. 32)

122 In section 59(2)(c) (appeal against disqualification) omit “acting for the petty sessions district in which the applicant resides”.

The Sexual Offences Act 2003 (c. 42)

123.—(1) In section 60B(5) (detention of vehicle, ship or aircraft) for paragraph (b)(i) and (ii) substitute—

“(i) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;”.

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- (2) In section 125 (variation, renewal and discharge of orders)—
 - (a) in subsection (1) for “the appropriate court” substitute “ a court of summary jurisdiction ”; and
 - (b) omit subsection (7).
- (3) In section 136 (Northern Ireland)—
 - (a) in subsection (5) omit “subject to subsection (6)” and after “magistrates' court” insert “ or to a magistrates court for a particular area ”
 - (b) omit subsections (6) and (7).

The Civil Partnership Act 2004 (c. 33)

- 124.**—(1) In section 188 (the court)—
- (a) in subsection (1) for paragraph (b) substitute—
 - “(b) a county court.”;
 - (b) omit subsections (4) to (6) and (9);
 - (c) in subsection (7) for “civil partnership proceedings county court” substitute “ county court ”;
 - (d) in subsection (8) omit “civil partnership proceedings” and “which is exercisable by county courts generally”.
- (2) In section 189 (appeals) in subsection (1)(a) and (b) omit “civil partnership proceedings”.
- (3) In section 190(2) (rules of court) for “civil partnership proceedings county court” (wherever occurring) substitute “ county court ”.
- (4) In Schedule 15 (financial relief in High Court or county court) in paragraph 63(1) omit head (b) and the word “and” immediately before it.
- (5) In Schedule 16 (financial relief in court of summary jurisdiction) in paragraph 8(3) omit the words from “acting for the same petty sessions district” to the end.
- (6) In Schedule 29 omit paragraphs 50 and 94(4).

The Criminal Justice (Northern Ireland) Order 2004 (NI 9)

- 125** In Article 10 (live links) omit—
- (a) paragraph (4)(b) and (c);
 - (b) paragraph (5).

The Criminal Justice (Evidence) (Northern Ireland) Order 2004 (NI 10)

- 126** In Article 40 (video evidence) omit paragraph (4).

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The Anti-Social Behaviour (Northern Ireland) Order 2004 (NI 15)

127.—(1) In Article 3(2) (applications for order) omit “for the county court division in which it is alleged that the harassment, alarm or distress was caused or was likely to be caused”.

(2) In Article 6B(14)(a) (variation or discharge of orders) omit “acting for the same county court division as that court”.

*The Lay Magistrates (Eligibility) Order
(Northern Ireland) 2004 (SR 2004/246)*

128 In Article 2(a) for “county” substitute “ administrative ”.

The Serious Organised Crime and Police Act 2005 (c. 15)

129 In section 80(4) (financial reporting orders)—

- (a) omit “(or in Northern Ireland for the same county court division)”;
- (b) at the end add “or in Northern Ireland to any magistrates' court”.

The Safety of Sports Grounds (Northern Ireland) Order 2006 (NI 2)

130 In Article 2(2) (interpretation) for the definition of “the court” substitute—

““the court” means a court of summary jurisdiction;”.

The Forced Marriage (Civil Protection) Act 2007 (c. 20)

131 In Schedule 1 (Northern Ireland) in paragraph 11 omit “a divorce county court”.

The Road Traffic (Northern Ireland) Order 2007 (NI 10)

132.—(1) In Article 10(3), in the inserted Article 32B(5) of the Offenders Order omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(2) In Article 10(3), in the inserted Article 32B(7) of the Offenders Order omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(3) In Article 10(3), in the inserted Article 32E(3) of the Offenders Order—

- (a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;
- (b) omit the definition of “relevant local court”;

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(c) in the definition of “supervising court” omit “acting in the same petty sessions district as the court which made the order”.

(4) In Article 11(1), in the substituted Article 37(6) of the Offenders Order, omit “ or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court ”.

(5) In Article 11(1), in the substituted Article 37(8) of the Offenders Order, omit “ or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court ”.

(6) In Article 11(1), in the substituted Article 38(3) of the Offenders Order—

(a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;

(b) omit the definition of “relevant local court”;

(c) in the definition of “supervising court” omit “acting in the same petty sessions district as the court which made the order”.

(7) In Article 45, in the inserted Article 8A(3)(e) of the Order of 1981, omit “acting for the petty sessions district in which the person resides”.

(8) In Article 60(12) (appeals) omit “acting for the petty sessions district in which the person resides”.

(9) In Article 64(5)(b) (training) omit “acting for the petty sessions district in which the person resides”.

The Criminal Justice and Immigration Act 2008 (c. 4)

133.—(1) In section 82 (requests to other member states) in subsection (4)(b) (v) omit “in a petty sessions district”.

(2) In section 87 (requests from other member states)—

(a) omit subsection (2);

(b) in subsection (3) omit “Otherwise” and the words from “for such petty sessions district” to the end;

(c) in subsection (4) omit “(2) or”;

(d) omit subsection (5).

(3) In section 88 (procedure on receipt of certificate)—

(a) in subsection (1) omit “for a petty sessions district”;

(b) in subsection (2) omit “acting for the petty sessions district”.

The Human Fertilisation and Embryology Act 2008 (c. 22)

134 In section 54(9)(c) (parental orders) omit “within whose division the child is”.

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The Counter-Terrorism Act 2008 (c. 28)

135 In Schedule 5 (foreign travel restriction orders) in paragraph 10(2) omit “for the petty sessions district which includes the area where the person subject to the order resides”.

The Criminal Justice (Northern Ireland) Order 2008 (NI 1)

136.—(1) In Article 60(1), in the inserted Article 38B(5) of the Offenders Order, omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(2) In Article 60(1), in the inserted Article 38E(3) of the Offenders Order—

- (a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;
- (b) omit the definition of “relevant local court”;
- (c) in the definition of “supervising court” omit “acting for the same petty sessions district as the court which made the order”.

(3) In Article 61 (experimental period)—

- (a) in paragraph (4)(b) omit “acting for a petty sessions district”;
- (b) in paragraph (6) for “petty sessions district” substitute “magistrates' court”;
- (c) in paragraph (7) for “a district” substitute “a court” and for “districts” substitute “courts”.

(4) Omit Article 92 (jurisdiction of magistrates' court in relation to proving execution of arrest warrant).

(5) In Schedule 3 (supervised activity orders)—

- (a) in paragraph 1 for “petty sessions district” substitute “locality”;
- (b) omit paragraph 2(1);
- (c) omit paragraph 3(4);
- (d) in paragraph 5(2) omit “having jurisdiction in the place where the offender is arrested”;
- (e) omit paragraph 6(2);
- (f) in paragraph 6(4) for heads (a) and (b) substitute “give a copy of the amending order to the supervising officer”;
- (g) omit paragraph 6(5);
- (h) in paragraph 8(1)(b) omit the words from “having jurisdiction” to the end.

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The Marine and Coastal Access Act 2009 (c. 23)

137 In Schedule 17 (warrants) in paragraph 10(2)(b) omit “for the petty sessions district in which the dwelling is situated”.

The Coroners and Justice Act 2009 (c. 25)

138.—(1) In section 77(6) (anonymity in investigations) omit “for the petty sessions district in which the application for an investigation anonymity order is made”.

(2) In section 79(6)(b) (appeal against refusal of investigation anonymity order) omit “of the county court division in which the appeal is made”.

The Terrorism Prevention and Investigation Measures Act 2011 (c. 23)

139 In Schedule 5 (powers of entry) in paragraph 9(16)(b) for the words from “for the petty sessions district” to the end substitute “ of petty sessions ”.

The Caravans Act (Northern Ireland) 2011 (c. 12)

140.—(1) In section 6(1) (jurisdiction) omit “for the county court division in which the protected site is situated”.

(2) In section 10(1) (jurisdiction) omit “for the county court division in which the caravan site is situated”.

The Welfare of Animals Act (Northern Ireland) 2011 (c. 16)

141 In Schedule 3 (powers or entry) in paragraph 3(9) omit the words from “for the petty sessions district” to the end.

The Justice Act (Northern Ireland) 2011 (c. 24)

142.—(1) In section 46(3) (banning orders: additional requirements) omit “acting for the same county court division as that court”.

(2) In section 47(6) (termination of banning orders) omit “acting for the same county court division as that court”.

(3) Omit section 54 (breach of licence conditions by sex offenders).

(4) In section 91 (bail: compassionate grounds)—

(a) in subsection (1) for “the appropriate court” substitute “any magistrates' court”;

(b) in subsection (2) for “appropriate court” substitute “magistrates' court”;

(c) omit subsection (4).

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The Justice Act (Northern Ireland) 2015 (c.)

143 In section 93 (Public Prosecutor's summons)—

- (a) in subsection (1) omit “for any county court division” and “in respect of which a magistrates' court for that county court division has jurisdiction to hear a charge” and for “that court” substitute “a magistrates' court”;
- (b) omit subsection (2);
- (c) in subsection (3) omit “for any county court division” and the words from “into which” to “preliminary inquiry” and for “before that” substitute “ before a ”.

The Serious Crime Act 2015 (c. 9)

144 In Schedule 2 in paragraph 11(2)(c) omit “for the petty sessions district in which the lay magistrate was acting when he or she issued the warrant”.

PROSPECTIVE

SCHEDULE 2 **N.I.**

Section 16

AMENDMENTS: DIRECT COMMITTAL FOR TRIAL

The Grand Jury (Abolition) Act (Northern Ireland) 1969 (c. 15)

1.—(1) Section 2 (procedures for indictment of offenders) is amended as follows.

(2) After subsection (3) insert—

“(3A) Subsection (3) does not apply in a case where the indictment is presented against a person who was committed for trial under Chapter 2 of Part 2 of the Justice Act (Northern Ireland) 2015.”.

(3) After subsection (5) insert—

“(5ZA) In a case where the indictment is presented against a person who was committed for trial under Chapter 2 of Part 2 of the Justice Act (Northern Ireland) 2015—

- (a) subsection (5) does not apply; and
- (b) the indictment or any count in the indictment may charge any other indictable offence which is founded on facts or evidence disclosed in the documents given to the Crown Court

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

in accordance with provision made under section 13(2)(a) of that Act;

but the judge presiding at the court before which the indictment is presented may, if he thinks it just to do so, disallow or quash any indictment or count presented by virtue of this subsection.”.

(4) In subsection (6) after “(5)” insert “ or (5ZA) ”.

The Evidence of Alibi Act (Northern Ireland) 1972 (c. 6)

2 In section 1(1)(a) (notice of alibi) for “the end of the committal proceedings” (in each place where it occurs) substitute “ the date on which the accused was committed for trial ”.

The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8)

3 In Article 29 (free legal aid in the Crown Court) after paragraph (2) insert—

“(2A) In a case where a person has been committed for trial under Chapter 2 of Part 2 of the Justice Act (Northern Ireland) 2015, paragraph (2)(b) applies with the substitution for the words from “reading” to the end of the words “reading the documents given to the Crown Court in accordance with provision made under section 13(2)(a) of the Justice Act (Northern Ireland) 2015.”.

The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (NI 16)

4 In Article 3(1)(b) (notice of transfer) after “committed for trial” insert “ in committal proceedings ”.

The Criminal Evidence (Northern Ireland) Order 1988 (NI 20)

5.—(1) In Article 3 (circumstances in which inferences may be drawn from accused's failure to mention particular facts when questioned, charged, etc.) in paragraph (2)—

(a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and

(b) in sub-paragraph (b)(ii) for the “and” at the end substitute “or

(iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(2) In Article 5 (inferences from failure or refusal to account for objects, marks, etc.) in paragraph (2)—

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (aa)(ii) for the “and” at the end substitute “or
 - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(3) In Article 6 (inferences from failure or refusal to account for presence at a particular place) in paragraph (2)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (aa)(ii) for the “and” at the end substitute “or
 - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

6.—(1) In Article 56 (intimate searches) in paragraph (13A)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (b)(ii) for the “and” at the end substitute “or
 - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(2) In Article 56A (X-rays and ultrasound scans) in paragraph (9)—

- (a) in sub-paragraph (a) after “to commit the accused for trial” insert “ in committal proceedings ”; and
- (b) in sub-paragraph (b)(ii) for the “and” at the end substitute “or
 - (iii) section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

(3) In Article 62 (intimate samples) in paragraph (10)—

- (a) in sub-paragraph (a)(i) after “to commit that person for trial” insert “ in committal proceedings ”; and
- (b) after sub-paragraph (aa) insert—
 - “(ab) a judge in deciding whether to grant an application under section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act); and”.

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

The Children's Evidence (Northern Ireland) Order 1995 (NI 3)

7 In Article 4(1)(a) (notice of transfer) after “committed for trial” insert “ in committal proceedings ”.

The Criminal Procedure and Investigations Act 1996 (c. 25)

8 In section 5 (compulsory disclosure by accused) after subsection (1) insert—
“(1A) Where this Part applies by virtue of section 1(2)(a) and the accused has been committed for trial under Chapter 2 of Part 2 of the Justice Act (Northern Ireland) 2015, this section does not apply unless the documents mentioned in section 13(2)(a) of that Act have been given to the accused in accordance with provision made under section 13(2)(a).”.

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

9 In Article 9 (power to join in indictment counts for certain summary offences) in paragraph (1) at the end add “ or in the documents which, in accordance with rules made by virtue of section 13(2)(a) of the Justice Act (Northern Ireland) 2015, were given to the person charged. ”.

The Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)

10 In Article 29 (power of magistrates' court to remit a child for trial to a youth court) in paragraph (2)(b)(i) for the words from “conducts” to “commits him for trial or discharges him” substitute “ commits him for trial or (following committal proceedings) discharges him. ”

The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)

11 In Article 29 (interpretation and application of Article 28) in paragraph (3) after sub-paragraph (a) insert—

“(aa) the hearing of an application under section 14 of the Justice Act (Northern Ireland) 2015 (application for dismissal of charge by person committed for trial under section 11 or 12 of that Act),”.

Status: Point in time view as at 29/01/2016.

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SCHEDULE 3 **N.I.**

Section 36.

DISCLOSURE OF INFORMATION: VICTIM AND WITNESS SUPPORT SERVICES AND VICTIM INFORMATION SCHEMES

Disclosure by police to body providing support services for victims

1.—(1) A police officer or member of the police support staff may disclose relevant information relating to a victim to a prescribed body for the purpose of enabling that body to advise the victim about support services provided by the body, or offer or provide support services to the victim.

(2) For the purposes of this paragraph—

“relevant information relating to a victim” means—

- (a) the name and address of the victim;
- (b) any telephone number or e-mail address at which the victim may be contacted; and
- (c) such other information relating to the victim or the criminal conduct concerned as it appears to the police officer or member of the police support staff to be appropriate to disclose for the purpose mentioned in sub-paragraph (1);

“support services” means services involving the provision of information, advice, support or any other form of assistance to victims.

Disclosure by Public Prosecution Service to body providing support services for witnesses

2.—(1) Where the Director of Public Prosecutions has the conduct of criminal proceedings, a member of staff of the Public Prosecution Service may disclose relevant information relating to a witness for the prosecution in those proceedings to a prescribed body for the purpose of enabling that body to advise the witness about support services provided by the body, or offer or provide support services to the witness.

(2) For the purposes of this paragraph—

(a) “relevant information relating to a witness” means—

- (i) the name and address of the witness;
- (ii) the age of the witness;
- (iii) any telephone number or e-mail address at which the witness may be contacted; and
- (iv) such other information relating to the witness or the proceedings concerned as it appears to the member of staff of the Public

Status: Point in time view as at 29/01/2016.

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Prosecution Service to be appropriate to disclose for the purpose mentioned in sub-paragraph (1).

(3) In this paragraph—

“support services” means services involving the provision of information, advice, support or any other form of assistance to prosecution witnesses in criminal proceedings;

“prosecution witness”, in relation to any criminal proceedings, means a person who has been or may be called to give evidence for the prosecution in such proceedings.

*Disclosure by Public Prosecution Service
for purposes of victim information schemes*

3.—(1) A member of staff of the Public Prosecution Service may disclose relevant information relating to a victim to the Department for the purpose of enabling the Department to provide information and advice to the victim in connection with—

- (a) a scheme under section 68 of the Justice (Northern Ireland) Act 2002 (prisoner release victim information scheme); or
- (b) a scheme under section 69A of the Justice (Northern Ireland) Act 2002 (victims of mentally disordered offenders information scheme).

(2) A member of staff of the Public Prosecution Service may disclose relevant information relating to a victim to the Board for the purpose of enabling the Board to provide information and advice to the victim in connection with a scheme under Article 25 of the Criminal Justice (Northern Ireland) Order 2005 (the Probation Board for Northern Ireland victim information scheme).

(3) For the purposes of this paragraph “relevant information relating to a victim” means—

- (a) the name and address of the victim;
- (b) any telephone number or e-mail address at which the victim may be contacted;
- (c) details of the criminal conduct concerned; and
- (d) such other information relating to the victim or the criminal conduct concerned as it appears to the member of staff of the Public Prosecution Service to be appropriate to disclose for the purpose mentioned in sub-paragraph (1).

Status: Point in time view as at 29/01/2016.

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Unauthorised disclosure of information

4.—(1) If a person to whom this paragraph applies discloses without lawful authority any information—

- (a) acquired in the course of that person's employment,
- (b) which is, or is derived from, information provided under this Schedule, and
- (c) which relates to a particular person,

that person is guilty of an offence.

(2) This paragraph applies to any person who is—

- (a) employed in a body prescribed under paragraph 1 or 2 or in the provision of services to such a body;
- (b) employed in the Department or in the provision of services to the Department; or
- (c) employed by the Board or in the provision of services to the Board.

(3) It is not an offence under this paragraph to disclose information which has previously been disclosed to the public with lawful authority.

(4) It is a defence for a person charged with an offence under this paragraph to show that at the time of the alleged offence—

- (a) that person believed that the disclosure in question was made with lawful authority and had no reasonable cause to believe otherwise; or
- (b) that person believed that the information in question had previously been disclosed to the public with lawful authority and had no reasonable cause to believe otherwise.

(5) A person who is guilty of an offence under this paragraph is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

(6) For the purposes of this paragraph a disclosure of information by a person is to be regarded as made with lawful authority if, and only if, it is made—

- (a) in the course of and for the purposes of that person's employment in a prescribed body;
- (b) in accordance with that person's official duty as a civil servant or as an employee of the Board;
- (c) in accordance with an authorisation given by the Department, the Board or the prescribed body;
- (d) in accordance with any statutory provision or order of a court;
- (e) for the purposes of any criminal proceedings; or
- (f) with the consent of the person to whom the information relates.

Status: Point in time view as at 29/01/2016.

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- (7) In this paragraph “employment”—
- (a) includes employment as a volunteer; and
 - (b) in relation to a particular person, shall be construed in accordance with sub-paragraph (2).

Saving for other powers of disclosure

5 Nothing in this Schedule affects any power to disclose information that exists apart from this Schedule

Interpretation

- 6.**—(1) In this Schedule—
- “the Board” means the Probation Board for Northern Ireland;
- “prescribed” means prescribed by regulations made by the Department.
- (2) Section 29 (meaning of victim and related terms) applies for the purposes of this Schedule as it applies for the purposes of section 28.

VALID FROM 01/03/2016

SCHEDULE 4 **N.I.**

Section 41.

SCHEDULE INSERTED AS SCHEDULE 8A TO THE POLICE ACT 1997

PROSPECTIVE

N.I.

“SCHEDULE
8A **N.I.**

REVIEW OF CRIMINAL RECORD CERTIFICATES

Interpretation

- 1** In this Schedule—
- “conviction” and “spent conviction” have the same meanings as in the Rehabilitation of Offenders (Northern Ireland) Order 1978;
- “the independent reviewer” means the person appointed under paragraph 2;

Status: Point in time view as at 29/01/2016.

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“other disposal”, in relation to a criminal record certificate or enhanced criminal record certificate issued to any person, means any caution, diversionary youth conference or informed warning relating to that person of which details are given in the certificate.

The independent reviewer

2.—(1) There is to be an independent reviewer for the purposes of this Schedule.

(2) The independent reviewer is a person appointed by the Department—

(a) for such period, not exceeding 3 years, as the Department decides; and

(b) on such terms as the Department decides.

(3) A person may be appointed for a further period or periods.

(4) The Department may terminate the appointment of the independent reviewer before the end of the period mentioned in sub-paragraph (2)(a) by giving the independent reviewer notice of the determination not less than 3 months before it is to take effect.

(5) The Department may—

(a) pay such remuneration or allowances to the independent reviewer as it may determine;

(b) make arrangements for the provision of administrative or other assistance to the independent reviewer.

(6) The independent reviewer must, in relation to each financial year and no later than 3 months after the end of that year, make a report to the Department about the exercise of his or her functions under this Schedule in that year.

(7) The independent reviewer may make recommendations to the Department as to—

(a) any guidance issued by the Department under paragraph 3 or which the independent reviewer thinks it would be appropriate for the Department to issue under that paragraph;

(b) any changes to any statutory provision which the independent reviewer thinks may be appropriate.

(8) A person may at the same time hold office as the independent reviewer and as the independent monitor under section 119B.

Status: Point in time view as at 29/01/2016.

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Guidance

3 The Department may from time to time publish guidance to the independent reviewer as to the exercise of functions under this Schedule; and in exercising functions under this Schedule the independent reviewer must have regard to any guidance for the time being published under this paragraph.

Application for review after issue of certificate

4.—(1) A person who receives a criminal record certificate or an enhanced criminal record certificate may apply in writing to the Department for a review of the inclusion in that certificate of—

- (a) the details of any spent conviction; or
- (b) the details of any other disposal.

(2) An application under this paragraph must—

- (a) be accompanied by such fee (if any) as may be prescribed; and
- (b) be made within such period after the issue of the certificate as the Department may specify in a notice accompanying the certificate.

(3) The Department must refer any application under this paragraph to the independent reviewer together with—

- (a) any information supplied by the applicant in connection with the application; and
- (b) any other information which appears to the Department to be relevant to the application.

Review by independent reviewer after issue of certificate

5.—(1) The independent reviewer, on receiving an application under paragraph 4 in relation to a certificate, must review the inclusion in that certificate of—

- (a) the details of any spent conviction; and
- (b) the details of any other disposal.

(2) If, following that review, the independent reviewer determines that the details of any spent conviction or other disposal included in the certificate should be removed—

- (a) the independent reviewer must inform the Department of that fact; and

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(b) on being so informed the Department must issue a new certificate.

(3) In issuing such a certificate the Department must give effect to the determination of the independent reviewer and must (in the case of an enhanced certificate) again comply with section 113B(4).

(4) If, following that review, the independent reviewer determines that the details of any spent convictions or other disposals included in the certificate should not be removed—

(a) the independent reviewer must inform the Department of that fact; and

(b) the Department must inform the applicant that the application is refused.

(5) The independent reviewer must not determine that details of a spent conviction or other disposal should be removed from a certificate unless the independent reviewer is satisfied that the removal of those details would not undermine the safeguarding or protection of children and vulnerable adults or pose a risk of harm to the public.

Automatic review before issue of certificate containing only details of spent convictions or other disposals of person under 18

6.—(1) This paragraph applies where—

(a) the Department proposes to issue (otherwise than under subparagraph (4)(b) or (6)(b)) a criminal record certificate or an enhanced criminal record certificate relating to any person; and

(b) the certificate would—

(i) contain details of any spent conviction or other disposal which occurred at a time when the person was under the age of 18; but

(ii) not contain details of any conviction (whether spent or not) or other disposal occurring after that time.

(2) The Department must, before issuing the certificate, refer the certificate for review to the independent reviewer together with any information which appears to the Department to be relevant to that review.

(3) The independent reviewer, on receiving a referral under subparagraph (2) in relation to a certificate, must review the inclusion in that certificate of—

(a) the details of any spent conviction; and

(b) the details of any other disposal.

Status: Point in time view as at 29/01/2016.

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(4) If, following that review, the independent reviewer determines that the details of any spent conviction or other disposal included in the certificate should be removed—

- (a) the independent reviewer must inform the Department of that fact; and
- (b) on being so informed the Department must amend the certificate and issue the amended certificate.

(5) In issuing such a certificate the Department must give effect to the determination of the independent reviewer and must (in the case of an enhanced certificate) again comply with section 113B(4).

(6) If, following that review, the independent reviewer determines that the details of any spent convictions or other disposals included in the certificate should not be removed—

- (a) the independent reviewer must inform the Department of that fact; and
- (b) the Department must issue the certificate in the form referred to the independent reviewer.

(7) The independent reviewer must not determine that details of a spent conviction or other disposal should be removed from a certificate unless the independent reviewer is satisfied that the removal of those details would not undermine the safeguarding or protection of children and vulnerable adults or pose a risk of harm to the public.

(8) The fact that a review has been carried out under this paragraph before a certificate is issued does not prevent the operation of paragraphs 4 and 5 in relation to the certificate once issued.

Disclosure of information to the independent reviewer

7 The Chief Constable, the Department and the Probation Board for Northern Ireland must provide to the independent reviewer such information as the independent reviewer reasonably requires in connection with the exercise of his or her functions under this Schedule.”.

Status: Point in time view as at 29/01/2016.

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SCHEDULE 5 **N.I.**

Section 47.

AMENDMENTS: CRIMINAL RECORDS

The Police Act 1997(c. 50)

1.—(1) Section 113A (criminal record certificates) is amended as follows.

(2) In subsection (4) for “the registered person who countersigned” substitute “whoever acted as the registered person in relation to”.

(3) After subsection (8) insert—

“(9) For the purposes of this Part a person acts as the registered person in relation to an application for a criminal record certificate if the person—

- (a) countersigns the application, or
- (b) transmits the application to the Department under subsection (2A).”

Commencement Information

11 Sch. 5 para. 1 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

2.—(1) Section 113B (enhanced criminal record certificates) is amended as follows.

(2) In subsection (6) for “the registered person who countersigned” substitute “whoever acted as the registered person in relation to”.

(3) After subsection (11) insert—

“(12) For the purposes of this Part a person acts as the registered person in relation to an application for an enhanced criminal record certificate if the person—

- (a) countersigns the application, or
- (b) transmits the application to the Department under subsection (2A).”

Commencement Information

12 Sch. 5 para. 2 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

3 In section 113BC(1) (suitability information: power to amend) after paragraph (b) insert—

“(c) amend section 120AC(4)(b) in consequence of an order made under paragraph (a) or (b).”

Status: Point in time view as at 29/01/2016.

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Commencement Information

I3 Sch. 5 para. 3 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

4 In section 114(3) (application of other provisions of Part 5 to an application under that section) for “Section 113A(3) to (6)” substitute “ Sections 113A(3) to (6), 120AC and 120AD ”.

Commencement Information

I4 Sch. 5 para. 4 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

5 In section 116(3) (application of other provisions of Part 5 to an application under that section) for “and 113BA to 113BC” substitute “ , 113BA to 113BC, 120AC and 120AD ”.

Commencement Information

I5 Sch. 5 para. 5 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

PROSPECTIVE

6.—(1) Section 117 (disputes about accuracy of certificates) is amended as follows.

(2) In the title for “accuracy of certificates” substitute “ certificates and up-date information ”.

(3) After subsection (1A) insert—

“(1B) Where a person believes that the wrong up-date information has been given under section 116A in relation to the person's certificate, the person may make an application in writing to the Department for corrected up-date information.”.

(4) In subsection (2)—

(a) after “inaccurate” insert “ , or that the wrong up-date information has been given, ”, and

(b) after “new certificate” insert “ or (as the case may be) corrected up-date information ”.

(5) After subsection (2) insert—

“(2A) In this section—

“corrected up-date information”, in relation to a certificate, means information which includes—

Status: Point in time view as at 29/01/2016.

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- (a) information that the wrong up-date information was given in relation to the certificate on a particular date, and
 - (b) new up-date information in relation to the certificate,
- “up-date information” has the same meaning as in section 116A.”

7.—(1) Section 118 (evidence of identity) is amended as follows.

(2) In subsection (1)—

- (a) after “consider” insert “ an application as mentioned in section 116A(4) (a) or (5)(a) or ”, and
- (b) after “117” insert “ , 117A ”.

(3) After subsection (3) insert—

“(3A) The Department by notice given in writing may require a person who has a certificate which is subject to up-date arrangements under section 116A to attend at a place and time specified in the notice to provide fingerprints for the sole purpose of enabling the Department to verify whether information in the possession of the Department that the Department considers may be relevant to the person's certificate does relate to that person.

(3B) If a person fails to comply with a requirement imposed under subsection (3A), the Department by notice given in writing may inform that person that, from a date specified in the notice, the person's certificate is to cease to be subject to up-date arrangements.”.

(4) In subsection (4) after “117” insert “ or 117A ”.

Commencement Information

- I6** Sch. 5 para. 7(1) in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m)(ii)
- I7** Sch. 5 para. 7(2) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(ii)
- I8** Sch. 5 para. 7(4) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(ii)

8.—(1) Section 119 (sources of information) is amended as follows.

(2) In subsection (1A), after paragraph (a) (but before the word “or” at the end of the paragraph) insert—

“(aa) the provision of up-date information under section 116A;”.

(3) In subsection (1B) for the words from “determining” to the end substitute “deciding whether to make a request to that chief officer under section 113B(4) ”.

(4) After subsection (2) insert—

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“(2A) Where, in connection with the provision of up-date information under section 116A, the chief officer of a police force receives a request for information of the kind mentioned in section 113B(4), the chief officer of police must comply with it as soon as practicable.”

(5) In subsection (4) at the end of paragraph (a), after “registration;” insert—

“(aa) any application as mentioned in section 116A(4)(a) or (5)(a);”.

(6) In subsection (8) at the end of paragraph (a) insert—

“(aa) under this Part in relation to any request under section 116A(1);”.

Commencement Information

I9 Sch. 5 para. 8(1) in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m)(iii)

I10 Sch. 5 para. 8(3) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(iii)

9.—(1) Section 119B (independent monitor) is amended as follows.

(2) Omit subsection (5)(a).

(3) In subsection (5)(c) omit the words from “or disclosed” to the end.

(4) After subsection (5)(c) insert—

“(ca) a sample of cases in which the chief officer of a police force has decided that information should be disclosed or not disclosed to the Department for the purpose of the provision by the Department of up-date information under section 116A;”.

(5) After subsection (8) insert—

“(8A) The independent monitor has the functions conferred on the monitor by section 117A.”.

(6) In subsection (9) after “section” insert “ or section 117A ”.

Commencement Information

I11 Sch. 5 para. 9(1) in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m)(iv)

I12 Sch. 5 para. 9(2) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(iv)

I13 Sch. 5 para. 9(5) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(iv)

I14 Sch. 5 para. 9(6) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(iv)

10.—(1) Section 120 (registered persons) is amended as follows.

(2) In subsection (2)—

(a) for the words from the beginning to “the”, where it first occurs, substitute “ The ”,

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

- (b) after paragraph (a) insert “ and ”, and
- (c) omit paragraph (c) and the word “and” before it.
- (3) After that subsection insert—
 - “(2A) Subsection (2) is subject to—
 - (a) regulations under section 120ZA,
 - (b) section 120A, and
 - (c) section 120AA and regulations made under that section.”.
- (4) In subsection (5)(b) for “countersign” substitute “ act as the registered person in relation to ”.

Commencement Information

I15 Sch. 5 para. 10 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

- 11.**—(1) Section 120ZA (regulations about registration) is amended as follows.
- (2) In subsection (2)(d) after “this Part” insert “ or the transmitting of applications under section 113A(2A) or 113B(2A) ”.
- (3) In subsection (4)—
 - (a) in paragraph (a) for “he countersigns” substitute “ acting as the registered person in relation to ”, and
 - (b) in paragraph (b) for “registered person who countersigns it” substitute “ person who acts as the registered person in relation to the application ”.

Commencement Information

I16 Sch. 5 para. 11 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

- 12** In section 120A(4) (provision of information about suitability of registered persons)—
 - (a) in paragraph (b)(iii) for “the countersigning of applications by a particular applicant for registration or by a particular registered person” substitute “ a particular applicant for registration, or a particular registered person, acting as the registered person in relation to applications under this Part ”, and
 - (b) in paragraph (c) for “the countersigning of” substitute “ a person acting as the registered person in relation to ”.

Commencement Information

I17 Sch. 5 para. 12 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

13.—(1) Section 120AA (refusal, cancellation or suspension of registration on other grounds) is amended as follows.

(2) In subsection (1) for “countersign” substitute “ act as the registered person in relation to ”.

(3) In subsection (2)—

(a) in paragraph (a) for “countersign” substitute “ act as the registered person in relation to ”, and

(b) in paragraph (b) for “countersigned” substitute “ acted as the registered person in relation to ”.

Commencement Information

I18 Sch. 5 para. 13 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

14 In section 120AB(8)(a) (exception from procedure for cancellation or suspension) for “countersigning” substitute “ acting as the registered person in relation to ”

Commencement Information

I19 Sch. 5 para. 14 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

15.—(1) Section 122 (code of practice) is amended as follows—

(2) After subsection (1) insert—

“(1A) The reference in subsection (1) to the use of information provided to registered persons under this Part includes a reference to the use of information provided in accordance with section 116A(1) to relevant persons (within the meaning of that section) who are not registered persons under this Part.”.

(3) In subsection (3)—

(a) for “registered person who countersigned” substitute “ person who acted as the registered person in relation to ”, and

(b) in paragraph (b) for “countersigned” substitute “ acted as the registered person ”.

(4) Omit subsection (3A)(a).

Commencement Information

I20 Sch. 5 para. 15(1) in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m)(v)

Status: Point in time view as at 29/01/2016.

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I21 Sch. 5 para. 15(4) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(v)

16.—(1) Section 124 (offences: disclosure) is amended as follows.

(2) In subsection (1)(b) and (c) for “countersigned” substitute “ acted as the registered person in relation to ”.

(3) In subsection (2) for “countersigned” substitute “ in relation to which the person who acted as the registered person did so ”.

(4) In subsection (3) for “countersigned by or at the request of an individual” substitute “ in relation to which an individual acted as the registered person, or in relation to which the person who acted as the registered person did so at the request of an individual ”.

(5) In subsection (4)—

(a) in paragraph (b) omit “(5) or”, and

(b) for “subsections (5) and (6)” substitute “ subsection (6) ”.

(6) Omit subsection (5).

Commencement Information

I22 Sch. 5 para. 16(1) in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m)(vi)

I23 Sch. 5 para. 16(5) in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(vi)

17.—(1) Section 124A (offences relating to disclosure of information obtained in connection with delegated function) is amended as follows.

(2) In subsection (1)(c) omit “or registered person”.

(3) After subsection (6) insert—

“(6A) For the purposes of this section the reference to an applicant includes a person who makes a request under section 116A(1), 120AC(1) or 120AD(2).”.

Commencement Information

I24 Sch. 5 para. 17 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

18 After section 125B(2) (form of applications) insert—

“(3) In this section “application” includes a request under section 116A(1), 120AC(1) or 120AD(2).”.

Status: Point in time view as at 29/01/2016.

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Commencement Information

I25 Sch. 5 para. 18 in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m) (vii)

19.—(1) In section 126(1) (interpretation of Part 5) is amended as follows.

(2) In the definition of “certificate”, after “application” insert “but does not include any documents issued in response to—

- (a) a request under section 116A(1),
- (b) an application as mentioned in section 116A(4)(a) or (5)(a), or
- (c) a request under section 120AC or 120AD.”.

(3) After the definition of “chief officer” insert—

““the Department” means the Department of Justice in Northern Ireland;”.

Commencement Information

I26 Sch. 5 para. 19 in operation at 2.11.2015 for specified purposes by S.R. 2015/358, art. 2(m) (viii)

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (NI 11)

20.—(1) Paragraph 19 of Schedule 1 (barred lists: information) is amended as follows.

(2) In sub-paragraph (1)(c) for “chief officer of a relevant police force” substitute “relevant chief officer”.

(3) In sub-paragraph (3) after “which the” insert “relevant”.

(4) In sub-paragraph (5) for “chief officer of the relevant police force” substitute “relevant chief officer”.

(5) In sub-paragraph (7) for the definition of “relevant police force” substitute—
““the relevant chief officer” means any chief officer of a police force who is identified by the Secretary of State for the purposes of this paragraph;”.

(6) After sub-paragraph (7) insert—

“(7A) Subsections (10) and (11) of section 113B of the Police Act 1997 apply for the purposes of the definition of “the relevant chief officer” as they apply for the purposes of that section.”.

(7) In sub-paragraph (8) for “which police forces are relevant police forces” substitute “who is the relevant chief officer”.

Status: Point in time view as at 29/01/2016.

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Commencement Information

I27 Sch. 5 para. 20 in operation at 2.11.2015 by S.R. 2015/358, art. 2(m)(i)

VALID FROM 14/03/2016

SCHEDULE 6 **N.I.**

Section 96.

AMENDMENTS: SERIOUS PHYSICAL HARM TO CHILD OR VULNERABLE ADULT

The Law Reform (Year and a Day Rule) Act 1996 (c. 19)

1 In section 2 (restriction on institution of proceedings for fatal offence) in subsection (3)(c) for “(causing or allowing the death of a child or vulnerable adult)” substitute “ of causing or allowing the death of a child or vulnerable adult ”.

The Sexual Offences Act 2003 (c. 42)

2 In Schedule 5 (offences for purposes of making sexual offences prevention orders) in paragraph 171A for “the death of a child or vulnerable adult” substitute “ a child or vulnerable adult to die or suffer serious physical harm ”.

The Domestic Violence, Crime and Victims Act 2004 (c. 28)

3.—(1) For the heading of section 7 substitute “ Evidence and procedure in cases of death: Northern Ireland ”.

(2) In section 7(5) after “section 5” insert “ of causing or allowing a person's death ”.

(3) After section 7 insert—

“7A Evidence and procedure in cases of serious physical harm: Northern Ireland

(1) Subsections (3) to (5) apply where a person (“the defendant”) is charged in the same proceedings with a relevant offence and with an offence under section 5 in respect of the same harm (“the section 5 offence”).

(2) In this section “relevant offence” means—

(a) an offence under section 18 or 20 of the Offences against the Person Act 1861 (grievous bodily harm etc.);

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(b) an offence under Article 3 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 of attempting to commit murder.

(3) Where by virtue of Article 4(4) of the Criminal Evidence (Northern Ireland) Order 1988 a court or jury is permitted, in relation to the section 5 offence, to draw such inferences as appear proper from the defendant's failure to give evidence or refusal to answer a question, the court or jury may also draw such inferences in determining whether the defendant is guilty of a relevant offence, even if there would otherwise be no case for the defendant to answer in relation to that offence.

(4) Where a magistrates' court is considering under Article 37 of the Magistrates' Courts (Northern Ireland) Order 1981 whether to commit the defendant for trial for the relevant offence, if there is sufficient evidence to put the defendant on trial for the section 5 offence there is deemed to be sufficient evidence to put the defendant on trial for the relevant offence.

(5) The power of a judge of the Crown Court under section 2(3) of the Grand Jury (Abolition) Act (Northern Ireland) 1969 (entry of "No Bill") is not to be exercised in relation to a relevant offence unless it is also exercised in relation to the section 5 offence.

(6) At the defendant's trial the question whether there is a case for the defendant to answer on the charge of the relevant offence is not to be considered before the close of all the evidence (or, if at some earlier time the defendant ceases to be charged with the section 5 offence, before that earlier time).".

The Criminal Justice (Northern Ireland) Order 2008 (NI 1)

4 In Part 1 of Schedule 2 (specified violent offences) in paragraph 30 for "the death of a child or vulnerable adult" substitute " a child or vulnerable adult to die or suffer serious physical harm ".

Status: Point in time view as at 29/01/2016.

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SCHEDULE 7 **N.I.**

Section 87.

DOMESTIC VIOLENCE PROTECTION NOTICES AND ORDERS

PROSPECTIVE

Power to issue a domestic violence protection notice

1.—(1) A police officer not below the rank of superintendent (“the authorising officer”) may issue a domestic violence protection notice (“a DVPN”) under this paragraph.

(2) A DVPN may be issued to a person (“P”) aged 18 years or over if the authorising officer has reasonable grounds for believing that—

- (a) P has been violent towards, or has threatened violence towards, an associated person, and
- (b) the issue of the DVPN is necessary to protect that person from violence or a threat of violence by P.

(3) Before issuing a DVPN, the authorising officer must, in particular, consider—

- (a) the welfare of any person under the age of 18 whose interests the officer considers relevant to the issuing of the DVPN (whether or not that person is an associated person),
- (b) the opinion of the person for whose protection the DVPN would be issued as to the issuing of the DVPN,
- (c) any representations made by P as to the issuing of the DVPN, and
- (d) in the case of provision included by virtue of sub-paragraph (8), the opinion of any other associated person who lives in the premises to which the provision would relate.

(4) The authorising officer must take reasonable steps to discover the opinions mentioned in sub-paragraph (3).

(5) But the authorising officer may issue a DVPN in circumstances where the person for whose protection it is issued does not consent to the issuing of the DVPN.

(6) A DVPN must contain provision to prohibit P from molesting the person for whose protection it is issued.

(7) Provision required to be included by virtue of sub-paragraph (6) may be expressed so as to refer to molestation in general, to particular acts of molestation, or to both.

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

(8) If P lives in premises which are also lived in by a person for whose protection the DVPN is issued, the DVPN may also contain provision—

- (a) to prohibit P from evicting or excluding from the premises the person for whose protection the DVPN is issued,
- (b) to prohibit P from entering the premises,
- (c) to require P to leave the premises, or
- (d) to prohibit P from coming within such distance of the premises as may be specified in the DVPN.

PROSPECTIVE

Contents and service of a domestic violence protection notice

2.—(1) A DVPN must state—

- (a) the grounds on which it has been issued,
- (b) that a constable may arrest P without warrant if the constable has reasonable grounds for believing that P is in breach of the DVPN,
- (c) that an application for a domestic violence protection order (“a DVPO”) under paragraph 4 will be heard within 48 hours of the time of service of the DVPN and a notice of the hearing will be given to P,
- (d) that the DVPN continues in effect until that application has been determined, and
- (e) the provision that a court of summary jurisdiction may include in a DVPO.

(2) A DVPN must be in writing and must be served on P personally by a constable.

(3) On serving P with a DVPN, the constable must ask P for an address for the purposes of being given the notice of the hearing of the application for the DVPO.

PROSPECTIVE

Breach of a domestic violence protection notice

3.—(1) A person arrested by virtue of paragraph 2(1)(b) for a breach of a DVPN must be held in custody and brought before the court of summary jurisdiction which will hear the application for the DVPO under paragraph 4—

- (a) before the end of the period of 24 hours beginning with the time of the arrest, or

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(b) if earlier, at the hearing of that application.

(2) If the person is brought before the court by virtue of sub-paragraph (1)(a), the court may remand the person.

(3) If the court adjourns the hearing of the application by virtue of paragraph 4(7), the court may remand the person.

PROSPECTIVE

Application for a domestic violence protection order

4.—(1) If a DVPN has been issued, a constable must apply for a DVPO.

(2) The application must be made by complaint to a court of summary jurisdiction.

(3) The application must be heard by the court not later than 48 hours after the DVPN was served pursuant to paragraph 2(2).

(4) A notice of the hearing of the application must be given to P.

(5) The notice is deemed given if it has been left at the address given by P under paragraph 2(3).

(6) But if the notice has not been given because no address was given by P under paragraph 2(3), the court may hear the application for the DVPO if the court is satisfied that the constable applying for the DVPO has made reasonable efforts to give P the notice.

(7) The court may adjourn the hearing of the application.

(8) If the court adjourns the hearing, the DVPN continues in effect until the application has been determined.

(9) On the hearing of an application for a DVPO, Article 118 of the Magistrates' Courts (Northern Ireland) Order 1981 (summons to witness and warrant for arrest) does not apply in relation to a person for whose protection the DVPO would be made, except where the person has given oral or written evidence at the hearing.

PROSPECTIVE

Conditions for and contents of a DVPO

5.—(1) The court may make a DVPO if two conditions are met.

(2) The first condition is that the court is satisfied on the balance of probabilities that P has been violent towards, or has threatened violence towards, an associated person.

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- (3) The second condition is that the court thinks that making the DVPO is necessary to protect that person from violence or a threat of violence by P.
- (4) Before making a DVPO, the court must, in particular, consider—
 - (a) the welfare of any person under the age of 18 whose interests the court considers relevant to the making of the DVPO (whether or not that person is an associated person), and
 - (b) any opinion of which the court is made aware—
 - (i) of the person for whose protection the DVPO would be made, and
 - (ii) in the case of provision included by virtue of sub-paragraph (8), of any other associated person who lives in the premises to which the provision would relate.
- (5) But the court may make a DVPO in circumstances where the person for whose protection it is made does not consent to the making of the DVPO.
- (6) A DVPO must contain provision to prohibit P from molesting the person for whose protection it is made.
- (7) Provision required to be included by virtue of sub-paragraph (6) may be expressed so as to refer to molestation in general, to particular acts of molestation, or to both.
- (8) If P lives in premises which are also lived in by a person for whose protection the DVPO is made, the DVPO may also contain provision—
 - (a) to prohibit P from evicting or excluding from the premises the person for whose protection the DVPO is made,
 - (b) to prohibit P from entering the premises,
 - (c) to require P to leave the premises, or
 - (d) to prohibit P from coming within such distance of the premises as may be specified in the DVPO.
- (9) A DVPO must state that a constable may arrest P without warrant if the constable has reasonable grounds for believing that P is in breach of the DVPO.
- (10) A DVPO may be in force for—
 - (a) no fewer than 14 days beginning with the day on which it is made, and
 - (b) no more than 28 days beginning with that day.
- (11) A DVPO must state the period for which it is to be in force.

Status: Point in time view as at 29/01/2016.

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PROSPECTIVE

Breach of a DVPO

6.—(1) A person arrested by virtue of paragraph 5(9) for a breach of a DVPO must be held in custody and brought before a court of summary jurisdiction within the period of 24 hours beginning with the time of the arrest.

(2) If the court finds that the person has breached the DVPO, the court may—

(a) order the person to pay a sum not exceeding £5000; or

(b) commit the person to prison for a fixed period not exceeding 2 months.

(3) Payment of any sum ordered to be paid under sub-paragraph (2)(a) is enforceable in the same manner as payment of a sum adjudged to be paid by a conviction.

(4) If the matter is not disposed of when the person is brought before the court under sub-paragraph (1), the court may remand the person.

(5) In section 44(5) of the Judicature (Northern Ireland) Act 1978 (appeals relating to punishment of contempt and other defaults) in paragraph (c) after “Article 112 of the Magistrates' Courts (Northern Ireland) Order 1981” insert “ or paragraph 6 of Schedule 7 to the Justice Act (Northern Ireland) 2015 ”.

PROSPECTIVE

Further provision about remand

7.—(1) This paragraph applies for the purposes of the remand of a person by a court under paragraph 3(2) or (3) or 6(4).

(2) The court may remand the person—

(a) in custody, that is to say, commit the person to custody to be brought before the court at the end of the period of remand; or

(b) on bail, that is to say, take from the person a recognizance conditioned for subsequent appearance before the court.

(3) If the person is remanded in custody, the court may give its consent to the person being remanded on bail in accordance with sub-paragraph (2)(b) in which event the court must fix the amount of the recognizance with a view to its being taken subsequently.

(4) Subject to sub-paragraphs (8), (11) and (12), the period for which a person is remanded in custody must not exceed—

(a) in case where the person is before the court and consents, 28 days;

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(b) in any other case, 8 days.

(5) The period for which a person is remanded on bail must not exceed 28 days unless both the person and the relevant police officer consent.

(6) For the purposes of sub-paragraph (5) the relevant police officer is—

(a) in the case of a remand prior to the hearing of an application for a DVPO, the authorising officer;

(b) in any other case, the constable who applied for the DVPO.

(7) In the case of a person over the age of 21, the power to remand in custody includes power, on an application made by a police officer not below the rank of inspector, to commit that person to—

(a) detention at a police station; or

(b) the custody (otherwise than at a police station) of a constable.

(8) The period for which a person is remanded under sub-paragraph (7) must not exceed 3 days.

(9) A person shall not be committed to detention at a police station under sub-paragraph (7)(a) unless there is a need for the person to be so detained for the purposes of inquiries into a criminal offence; and, if a person is committed to such detention—

(a) the person shall, as soon as that need ceases, be brought back before the court;

(b) the person shall be treated as a person in police detention to whom the duties under Article 40 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (responsibilities in relation to persons detained) relate; and

(c) the detention of the person shall be subject to periodic review at the times set out in Article 41 of that Order (review of police detention).

(10) A person shall not be committed to the custody (otherwise than at a police station) of a constable under sub-paragraph (7)(b) unless there is a need for the person to be kept in such custody for the purposes of inquiries into a criminal offence; and if a person is committed to such custody, the person shall, as soon as that need ceases, be brought back before the court.

(11) If the court has reason to suspect that a medical report will be required, the power to remand a person may be exercised for the purpose of enabling a medical examination to take place and a report to be made; and if the person is remanded in custody for that purpose, the remand may not be for more than 21 days.

(12) If the court has reason to suspect that the person is suffering from mental illness or severe mental impairment within the meaning of the Mental Health (Northern Ireland) Order 1986, the court has the same power to remand a person under Article 42 of that Order (remand to hospital for medical report) as it has

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under that Article in the case of an accused person (within the meaning of that Article).

(13) The court may order a person to be brought before it at any time before the expiration of the period for which the person has been remanded.

(14) The court may, when remanding the person on bail, require the person to comply, before release on bail or later, with such requirements as appear to the court to be necessary to secure that the person does not interfere with persons likely to give evidence at the hearing or otherwise obstruct the course of justice.

PROSPECTIVE

Guidance

8.—(1) The Department may issue guidance relating to the exercise by a constable of functions under this Schedule.

(2) A constable must have regard to any guidance issued under this paragraph when exercising a function to which the guidance relates.

(3) Before issuing guidance under this paragraph, the Department must consult—

- (a) the Chief Constable,
- (b) the Policing Board, and
- (c) such other persons as the Department thinks fit.

PROSPECTIVE

Interpretation

9.—(1) In this Schedule—

“associated person” means a person who is associated with P within the meaning of Article 3 of the Family Homes and Domestic Violence (Northern Ireland) Order 1998;

“the authorising officer” has the meaning given by paragraph 1(1);

“a DVPN” has the meaning given by paragraph 1(1);

“a DVPO” has the meaning given by paragraph 2(1)(c);

“P” has the meaning given by paragraph 1(2).

(2) In calculating—

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(a) when the period of 24 hours mentioned in paragraph 3(1)(a) or 6(1) ends, or

(b) when the period of 48 hours mentioned in paragraph 4(3) ends,

Christmas Day, Good Friday, any Sunday and any day which is a bank holiday in Northern Ireland under the Banking and Financial Dealings Act 1971 are to be disregarded.

(3) In calculating the length of any period of remand, the period is to be taken as beginning on the day after the person is remanded.

Pilot schemes

10.—(1) The Department may by order provide for any provision of paragraphs 1 to 9 to come into operation for a period of time to be specified in or under the order for the purpose of assessing the effectiveness of the provision.

(2) Such an order may make different provision for different areas.

(3) More than one order may be made under this paragraph.

(4) Provision included in an order under this paragraph does not affect the provision that may be included in relation to paragraphs 1 to 9 in an order under section 106.

SCHEDULE 8 **N.I.**

Section 104.

TRANSITIONAL PROVISIONS AND SAVINGS

Part 1: Saving for jurisdiction conferred by other statutory provisions

1 Nothing in Part 1 affects any jurisdiction conferred by any other statutory provision on a county court or magistrates' court as regards matters arising outside Northern Ireland.

Part 1: Lay magistrates

2 A person who, immediately before section 4 comes into operation, was a lay magistrate for a county court division shall be treated as having been appointed under section 4 as a lay magistrate for the administrative court division which—

(a) is specified in the first directions given under section 2 as an administrative court division for all or the residual purposes of a magistrates' court; and

(b) contains the whole or the largest part of the county court division for which the lay justice was appointed.

Status: Point in time view as at 29/01/2016.

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Part 1: Justices of the peace

3 A person who, immediately before section 5 comes into operation, was a justice of the peace for a county court division shall be treated as having been appointed under section 5(2) as a justice of the peace for Northern Ireland.

Part 2: Committal proceedings

4 A provision in Part 2 does not apply in relation to proceedings instituted before the coming into operation of that provision; and for this purpose proceedings are to be taken to be instituted—

- (a) where—
 - (i) a summons or warrant is issued under Article 20 of the Magistrates' Courts (Northern Ireland) Order 1981, or
 - (ii) a summons is issued under section 93, when the complaint for the offence is made;
- (b) where a person is charged with the offence after being taken into custody without a warrant, when that person is informed of the particulars of the charge;
- (c) where an indictment is presented under the authority of section 2(2)(c), (d), (e) or (f) of the Grand Jury (Abolition) Act (Northern Ireland) 1969, when the indictment is presented to the court;

and where the application of this paragraph would result in there being more than one time for the institution of the proceedings, they shall be taken to have been instituted at the earliest of those times.

Part 3: Prosecutorial fines

5 Part 3 applies in relation to an offence alleged to have been committed before as well as after the coming into operation of that Part.

Part 7: Live links

6.—(1) Subject to sub-paragraph (2), Part 7 applies to proceedings commenced before as well as after the coming into operation of that Part.

(2) Section 52 does not apply in relation to a witness in any proceedings if an application for a direction under Article 10 of the Criminal Justice (Northern Ireland) Order 2004 has been refused in respect of that witness in those proceedings.

Part 9: DNA profiles or fingerprints

7 The amendment made by section 86 applies even where the event referred to in paragraph (1)(b) of the substituted Article 63N of the Police and Criminal Evidence

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(Northern Ireland) Order 1989 occurs before the day on which that section comes into operation.

Part 9: Early guilty pleas

8 Section 88 does not apply in relation to an offence committed before the coming into operation of that section.

Part 9: Meeting a child following sexual grooming etc.

9 Section 89 does not apply in a case in which person A met or communicated with person B only once before the event mentioned in Article 22(1)(a)(i) to (iii) of the Sexual Offences (Northern Ireland) Order 2008, if that meeting or communication took place before the coming into operation of that section.'

Part 9: Public Prosecutor's summons

10 Section 93 does not apply where a complaint referred to in subsection (1) or (3) of that section was made before the coming into operation of that section.

Part 9: Serious physical harm to a child or vulnerable adult

11 An amendment made by section 95 or Schedule 6 does not apply in relation to any harm resulting from an act that occurs, or so much of an act as occurs, before the coming into operation of that amendment.

SCHEDULE 9 **N.I.**

Section 105.

REPEALS

VALID FROM 31/10/2016

PART 1 **N.I.**

SINGLE JURISDICTION

Short Title	Extent of Repeal
The Gaming Act (Ireland) 1739 (c. 8)	In section 16 the words from “and shall be laid” to the end.
The Tithe Rentcharge (Ireland) Act 1838 (c. 109)	In section 27 the words “wherein the lands charged therewith may be situate”.

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The Fisheries (Ireland) Act 1842 (c. 106)	In section 103 the words “in the district where the same shall be seized”.
The Companies Clauses Consolidation Act 1845 (c. 16)	In section 3 the words “acting for the place where the matter requiring the cognizance of any such justice shall arise and”.
The Railway Clauses Consolidation Act 1845 (c. 20)	In section 11 the words from “Provided also, that” to the end.
The Summary Jurisdiction (Ireland) Act 1851 (c. 92)	In section 1 the words “within his or their respective jurisdictions” and “(when the case shall be heard in any petty sessions district)”.
The Towns Improvement (Ireland) Act 1854 (c. 103)	In section 1 the definition of “assistant barrister”.
The Landlord and Tenant Law Amendment Act (Ireland) 1860 (c. 154)	In Schedule (A) the words “for the county of M,” (wherever occurring).
The Dockyard Ports Regulation Act 1865 (c.125)	Section 22.
The Public Health (Ireland) Act 1878 (c. 52)	In section 2 the definition of “court of quarter sessions”.
The Explosive Substances Act 1883 (c. 3)	In section 6(1) the words “for the county, borough, or place in which the crime was committed or is suspected to have been committed” and “in the said county, borough, or place”.
The Local Government (Ireland) Act 1898 (c. 37)	In section 69(3) the words from “provided that” to the end. Section 69(4) and (5).
The Open Spaces Act 1906 (c. 25)	In section 4(2) the words from “of the district” to the end.
The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)	In section 11 the words “and as if after the words “petty sessions” there were inserted “ for the petty sessions district for which the court which made the order acts ”.”

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The Government Annuities Act 1929 (c. 29)	In section 48(1) the words from “of the district in which the contract” to the end.
The Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 (c. 13)	Section 42.
The Water Supplies and Sewerage Act (Northern Ireland) 1945 (c. 17)	In section 16(1) the definition of “County Court”.
The Agriculture Act (Northern Ireland) 1949 (c. 2)	In section 17(1) the words “having jurisdiction for the area in which the land to which the notice relates is situate”. Section 17(3).
The Maintenance Orders Act 1950 (c. 37)	In section 17(1)(b) the words “acting for the same petty sessions district as the court which made the order”. In section 22(1J)(a) the words from “and as if” to the end.
The Foyle Fisheries Act (Northern Ireland) 1952 (c. 5)	In section 55(11) the words from “sitting for the petty sessions district” to the end. In section 64 the words “sitting for the petty sessions district in which it was seized”.
The Interpretation Act (Northern Ireland) 1954 (c. 33)	In section 42(1), in the definition of “county court”, the words “for a division”. Section 42(2).
The Coroners Act (Northern Ireland) 1959 (c. 15)	In section 31(2) the words “county court”.
The Northern Ireland Act 1962 (c. 30)	In section 29(1) the definition of “county court”.
The Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962 (c. 13)	In section 13(4)(b) the words from “for the division in which are situated” to the end.
The Electoral Law Act (Northern Ireland) 1962 (c. 14)	In section 110(2) the words from “acting for” to “was arrested”.

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The Agricultural Marketing Act (Northern Ireland) 1964 (c. 13)	In section 13(5) the words from “for any division” to the end.
The Magistrates' Courts Act (Northern Ireland) 1964 (c. 21)	Section 3.
The Fisheries Act (Northern Ireland) 1966 (c. 17)	In section 170(2) the words from “sitting for” to the end.
	In section 170(5A) the words from “for the petty sessions district” to the end.
	In section 180 the words from “sitting for the petty sessions district” to “was seized”.
	In section 188(1) the words “within that district”.
	In section 188(2) the words “within the petty sessions district for which that court sits or in which that magistrate or justice has authority”.
	In section 197(1) the words “for the petty sessions district in which that person resides, or in which the offence was committed”.
	In Schedule 5A in paragraph 5 in the definition of “the court” the words from “sitting for the petty sessions district” to the end.
The Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35)	In section 11(2)(b) the words “acting for the petty sessions district in which the defendant appears to be”.
The Medicines Act 1968 (c. 67)	In Schedule 3 in paragraph 28(2) the words from “for the district” to the end.
The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29)	In section 21(1) the words from “having jurisdiction in the county court division” to “he is convicted”.
	In section 21(3) the words “having jurisdiction in the place where he is arrested”.

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The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)	<p>In section 178(1) the word “appropriate”.</p> <p>In section 178(4) the definition of “appropriate lay magistrate”.</p> <p>In Schedule 2 in paragraph 3(1) the words from “for the county court division” to “adjoins that county court division”.</p> <p>In Schedule 2, paragraphs 7 and 8(b).</p>
The Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)	In section 67(6)(a) the words “for the district where the registered office of the society is situate”.
The Immigration Act 1971 (c. 77)	<p>In section 28K(9)(b) the words “for the petty sessions district in which the premises are situated”.</p> <p>In Schedule 2 in paragraphs 24(2)(a) and 33(2)(a) the words “acting for the petty sessions area in which he is arrested”.</p> <p>In Schedule 3 in paragraph 6(3)(b) the words “acting for the county court division where the person to whom the application relates resides”.</p> <p>In Schedule 3 in paragraph 8(1) the words “for the petty sessions district in which he was arrested”.</p>
The Civil Evidence Act (Northern Ireland) 1971 (c. 36)	<p>In section 8(5)—</p> <p>(a) in the definition of “matrimonial proceedings” the word “divorce”;</p> <p>(b) the words “divorce county court” has the same meaning as in the Matrimonial Causes (Northern Ireland) Order 1978 and”.</p>
The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)	<p>In section 9(1ZB)(b) the words from “and as if” to the end.</p> <p>Section 17(4).</p>

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	In section 28D(1) the words “acting for the petty sessions district in which the respondent is residing”.
	Section 28D(4) and (5).
	Section 47(3).
The Drainage (Northern Ireland) Order 1973 (NI 1)	In Schedule 5 in paragraph 6(d) the words from “for the division” to “is situate”.
The Consumer Credit Act 1974 (c. 39)	Section 140B(7).
	Section 143(a) and (b).
The Friendly Societies Act 1974 (c. 46)	Section 102.
The Treatment of Offenders (Northern Ireland) Order 1976 (NI 4)	In Article 5(1)(b) the words from “having jurisdiction in the county court division” to “was convicted”.
	In Article 5(2)(b) the words “acting for the same county court division as that court”.
The Criminal Damage (Compensation) (Northern Ireland) Order 1977 (NI 14)	Article 2(3).
The Rates (Northern Ireland) Order 1977 (NI 28)	In Article 32(3) the words from “having jurisdiction” to the end.
The Judicature (Northern Ireland) Act 1978 (c. 23)	Section 103.
	In section 120(1)—
	(a) in the definition of “county court” the words “for a division”;
	(b) in the definition of “division” the words in brackets.
	In Schedule 6, paragraph 8.
The Interpretation Act 1978 (c. 30)	In Schedule 1, in paragraph (b) of the definition of “county court” the words “for a division”.
The Matrimonial Causes (Northern Ireland) Order 1978 (NI 15)	In Article 2(2) the definition of “divorce county court”.

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	<p>In Article 35(4) the words from “and, accordingly” to the end.</p> <p>In Article 37(3) the words from “and at least” to “for which the court acts”.</p> <p>In Article 38(1) the words from “and, accordingly” to the end.</p> <p>In Article 40(3) the words from “and, accordingly” to the end.</p> <p>In Article 48—</p> <ul style="list-style-type: none"> (a) paragraphs (1A), (1B) and (2); (b) in paragraph (3) the words “If an order is made under paragraph (1),”; (c) in paragraphs (3)(a) and (c) the word “divorce” (wherever occurring); (d) in paragraph (4) the words “divorce” and “which is exercisable by county courts generally”; (e) in paragraph (5) the words “If an order is made under paragraph (1),” and “divorce” (wherever occurring); (f) in paragraph (8) the word “divorce”; (g) in paragraph (9) the word “divorce”.
The Protection of Children (Northern Ireland) Order 1978 (NI 17)	<p>In Article 4(1) the words “in the petty sessions district for which he acts”.</p> <p>In the Schedule in paragraph 12 the words from “for the petty sessions district” to the end.</p>
The Inheritance (Provision for Family and Dependants) (Northern Ireland) Order 1979 (NI 8)	<p>In Article 2(2) the definitions of “civil partnership proceedings county court” and “divorce county court”.</p> <p>In Article 17(1) the word “divorce” in the second place where it occurs.</p> <p>In Article 17ZA the words “civil partnership proceedings”.</p>

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<p>The Administration of Estates (Northern Ireland) Order 1979 (NI 14)</p>	<p>In Article 12(1) the words “for the division in which the deceased, at the time of his death, had a fixed place of abode”.</p>
<p>The County Courts (Northern Ireland) Order 1980 (NI 3)</p>	<p>In Article 2(2), in the definition of “court” the words “for a division”.</p> <p>In Article 2(2) in the definition of “the Office” the words “for the division in which those proceedings are taken”.</p> <p>In Article 3 in the heading the words “to be held for divisions”.</p> <p>Article 3(1).</p> <p>Article 4(d).</p> <p>Article 6(2).</p> <p>Article 8(5) to (8).</p> <p>Article 10(3) and (3A).</p> <p>Article 25(2).</p> <p>In Article 63(1)(a) the words “having jurisdiction in the county court division in which the county court sat”.</p> <p>In Article 63(7) the words “for the county court division in which the recognisance was taken”.</p>
<p>The Domestic Proceedings (Northern Ireland) Order 1980 (NI 15)</p>	<p>In Article 29 the words “acting for the same petty sessions district as the first-mentioned court”.</p> <p>In Article 30—</p> <p>(a) in paragraph (1) the word “divorce”;</p> <p>(b) in paragraph (2) the words “(whether or not it is a divorce county court)”;</p> <p>(c) paragraph (3).</p> <p>In Article 32(1)—</p> <p>(a) the words “and without prejudice to Article 77(3) of the</p>

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	Magistrates' Court (Northern Ireland) Order 1981”;
	(b) the words from “if at the date of the making of the order” to the end.
	In Article 34(1) the words “acting for the same petty sessions district as that court”.
The Betting and Gaming Duties Act 1981 (c. 63)	In Schedule 1 in paragraph 15(5) the words “situated in the same petty sessions district as those premises”.
The Road Traffic (Northern Ireland) Order 1981 (NI 1)	In Article 7(1) the words “acting for the petty sessions district in which he resides”.
	In Article 16(1) the words “acting for the petty sessions district in which he resides”.
	In Article 76(1) the words “acting for the petty sessions district in which the holder of or applicant for the licence resides”.
	In Article 79A(5) the words “acting for the petty sessions district in which he resides”.
The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)	In Article 2(2) the definition of “appropriate county court”.
	In Article 6(c) the words “divorce” and “civil partnership proceedings”.
	In Articles 52(1) and (3) the word “appropriate”.
	In Article 98(a)(ii) the words “divorce” and “civil partnership proceedings”.
	In Article 107(1)(c) the words “divorce” and “civil partnership proceedings”.
	In Article 110(c) the word “appropriate”.

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The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8)

In Article 28(4)(a) the words “for the relevant petty sessions district”.

In Article 30(1) the words “acting for the same petty sessions district” and “acting for that district”.

In Article 30(2)(b) the words “for the relevant petty sessions district”.

In Article 39 the definition of “relevant petty sessions district”.

The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

In Article 2(3) the definitions of “chief clerk” and “county court division”.

Article 4.

Article 17.

In Article 18(4)(b) the words “sitting for the petty sessions district for which the resident magistrate or lay magistrate acted”.

In Article 32(1)(a) the words “for the district in which the preliminary inquiry is to be held”.

Article 36.

In Article 47(1)(a) the words “for the county court division for which the court is acting or before any other magistrates' court having jurisdiction to conduct the proceedings”.

In Article 52 the words from “acting for the same petty sessions district” to the end.

In Article 72(1) and (2) the words from “acting for the petty sessions district” to the end.

Article 75(3).

Article 77(3).

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In Article 79 the words “for a county court division” and “sitting for that county court division”.

In Article 85(4) the words from “of the petty sessions district” to the end.

In Article 85A—

- (a) in paragraphs (1), (2) and (3) the words “of the relevant court”;
- (b) in paragraph (4)(a) the words “of a relevant court”;
- (c) in paragraph (7) the definition of “the relevant court”.

In Article 85B—

- (a) in paragraph (1) the words “for the county court division which includes the petty sessions district for which the relevant court is acting”;
- (b) in paragraph (5) the definition of “the relevant court”.

In Article 96(1) the words “in a petty sessions district” and “acting for that district”.

In Article 98(1)(a) the words “acting for the same petty sessions district as the court which made the order”.

In Article 98(1)(b) the words from “acting for the same petty sessions district” to the end.

In Article 99 (enforcement: other payments)—

- (a) in paragraph (1)(a) the words “acting for the same petty sessions district as the court which made the order”;
- (b) in paragraph (1)(b) the words from “acting for the same petty sessions district” to the end.

In Article 112—

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- (a) in paragraph (3)(a) the words “acting for the same petty sessions district as the court which made the order”;
- (b) in paragraph (3)(b) the words from “acting for the same petty sessions district” to the end;
- (c) paragraph (7).

In Article 113(7) the words from “sitting for” to the end.

In Article 127(3) the words from “where the person” to the end.

In Article 128(1) the words from “having jurisdiction either—” to the end of sub-paragraph (b).

In Article 144—

- (a) in paragraph (2A) the words “having jurisdiction in the county court division in which the magistrates' court sat”;
- (b) in paragraph (3) the words “having jurisdiction in the county court division in which the magistrates' court sat”.

In Article 148(1) the words “having jurisdiction in the petty sessions district for which the court acted”.

In Article 149(1) the words “having jurisdiction in the petty sessions district for which that court acted”.

In Article 151(1) the words from “acting for the same petty sessions district” to “case was stated”.

The Civil Jurisdiction and Judgments Act 1982 (c. 27)

Section 15(3).

In section 36(4)(b), in the substituted section 13(5A)(a) the words from “and as if” to the end.

The Criminal Justice Act 1982 (c. 48)

In Schedule 13 in paragraph 7(2)(a) the words “acting for a petty sessions

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	district in Northern Ireland for the time being specified in it”.
	In Schedule 13 in paragraph 8(2)(a) the words “acting for a petty sessions district in Northern Ireland for the time being specified in it”.
The Probation Board (Northern Ireland) Order 1982 (NI 10)	In Article 5(1)(a) the words “and assign one or more to each petty sessions district or districts”.
	In Article 5(1)(b) the words “in any petty sessions district”.
The Video Recordings Act 1984 (c. 39)	Section 16D.
The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (NI 11)	Article 26(3).
	In Article 174(3)(a) the words “by him”.
	Article 174(4).
	Article 175(3).
	In Article 177(b) the words “having premises within that district”.
	In Article 178(1) the words “kept by him”.
	In Article 179(2) the words from “for the petty sessions district in which” to “club is registered”.
	In Schedule 1, paragraph 1.
	In Schedule 3 in paragraph 2(1) the words “for the petty sessions district”.
The Credit Unions (Northern Ireland) Order 1985 (NI 12)	In Article 70(6)(a) the words “for the division in which the registered office of the credit union is situated”.
The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (NI 15)	In Schedule 1 in paragraph 13(1) the words “for the county court division in which the place is situated”.
	In Schedule 2 in paragraph 26(1) the words “for the relevant county court division”.

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	In Schedule 2, in paragraph 26(4) the definition of “the relevant county court division”.
The Mental Health (Northern Ireland) Order 1986 (NI 4)	In Schedule 2A, paragraph 3(4). In Schedule 2A in paragraph 7(3) the words “or, as the case may be, district” and “or district”. In Schedule 2A in paragraph 8(1) the words “for the petty sessions district concerned”. In Schedule 2A in paragraph 9(1) the words “for the petty sessions district concerned”.
The Adoption (Northern Ireland) Order 1987 (NI 22)	In Article 2(2) in the definition of “authorised court” in paragraph (b)(ii) the words “within whose division the applicant lives”.
The Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI 4)	Article 40(1)(a).
The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)	In Article 18(10A)(a) the words “for the petty sessions district in which the magistrate was acting when he issued the warrant”.
The Criminal Justice Act 1991 (c. 53)	In Schedule 3 in paragraph 10(2) (a) the words “acting for the petty sessions district in Northern Ireland for the time being specified in the order”.
The Road Traffic (Amendment) (Northern Ireland) Order 1991 (NI 3)	In Schedule 2 in paragraph 6(1) the words “acting for the petty sessions district in which the holder of the licence resides”.
The Friendly Societies Act 1992 (c. 40)	Section 110.
The Tourism (Northern Ireland) Order 1992 (NI 3)	In Article 19(1) the words “for the county court division in which that establishment is situated”.

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The Disability Discrimination Act 1995 (c. 50)	Section 38(3). In Schedule 8, paragraph 22(3).
The Children (Northern Ireland) Order 1995 (NI 2)	In Article 166— (a) in paragraph (2)(b) the words “a divorce county court”; (b) in paragraph (2)(c) the words “a civil partnership proceedings county court”; (c) in paragraph (4), sub-paragraph (a), the word “such” in sub-paragraph (b) and the words after sub-paragraph (b). In Schedule 1 in paragraph 12(6) the words from “and at least one of the parties” to “for which the court sits”. In Schedule 7, paragraphs 1(1)(c) and 4(4) and (7).
The Road Traffic (Northern Ireland) Order 1995 (NI 18)	In Schedule 1— (a) in paragraph 1(1) the words “for the county court division in which the proceedings are brought”; (b) paragraph 4(3).
The Criminal Procedure and Investigations Act 1996 (c. 25)	Section 76. In Schedule 4, paragraph 33.
The Juries (Northern Ireland) Order 1996 (NI 6)	In Article 4(8) the words “whether by reference to the area of jurisdiction of any court or courts or otherwise”. In Article 4(10) the words “whether by reference to the area of jurisdiction of any court or courts or otherwise”.
The Road Traffic (Offenders) (Northern Ireland) Order 1996 (NI 10)	In Article 2(2) the definition of “petty sessions district”. Article 36(6). In Article 38(2) in the definition of “supervising court” the words from “acting for” to the end.

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The Licensing (Northern Ireland)
Order 1996 (NI 22)

In Article 65(3) the words from “of the county court division” to “is situated”.

In Article 75(3) the words from “for such petty sessions district” to the end.

In Article 5(4) the words “by the clerk of petty sessions for the petty sessions district in which the premises are situated”.

In Article 29(3) the words from “for the petty sessions district” to the end.

In Article 30(1) the words from “sitting in the county court division” to “includes that place”.

In Article 31(1)(d)(ii) the words “for the petty sessions district in which the premises are situated”.

Article 34(1)(i).

Article 34(3).

In Article 37(1) the words “kept by him”.

In Articles 69C(1)(a), 69D(1)(b), 69E and 69F(1), (2) and (4) the word “relevant”.

In Article 69J(4) the definition of “relevant court of summary jurisdiction”.

In Schedule 3, paragraph 4(3).

In Schedule 4 in paragraph 3 the words “for the petty sessions district in which the premises are situated”.

The Registration of Clubs (Northern
Ireland) Order 1996 (NI 23)

Article 12(3).

Article 16(3) and (4).

In Article 19(1) the words “kept by him”.

Status: Point in time view as at 29/01/2016.

Changes to legislation: Justice Act (Northern Ireland) 2015 is up to date with all changes known to be in force on or before 20 September 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)

The Criminal Justice (Northern Ireland) Order 1996 (NI 24)

In Article 41(1)(a) the words “for the petty sessions district in which the premises of the registered club are situated”.

In Articles 41C(1)(a), 41D(1)(b), 41E and 41F(1), (2), (3) and (4) the word “relevant”.

In Article 41J(3) the definition of “relevant court of summary jurisdiction”.

In Schedule 3, in paragraph 3(b) the words “for the petty sessions district in which the premises of the club are situated”.

Article 10(2) and (5).

In Article 13—

- (a) in paragraph (6) the words from the beginning to “will reside; and”;
- (b) in paragraph (8) the words from “and the court shall” to the end.

In Article 27—

- (a) in paragraph (2) the words “acting for the petty sessions district in which he resides”;
- (b) in paragraph (9)(b) the words “acting for the petty sessions district in which the offender resides”;
- (c) paragraphs (10) and (11).

In Schedule 2—

- (a) in paragraph 1(1) the definition of “the petty sessions district concerned”;
- (b) in paragraph 2(2)(b)(ii) the words “acting for the petty sessions district concerned”;
- (c) in paragraph 2(3) the words “having jurisdiction in the place where he is arrested”;

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	<ul style="list-style-type: none"> (d) in paragraph 7(1) the words “acting for the petty sessions district concerned”; (e) in paragraph 9(1)(a)(i) the words “other than a court acting for the petty sessions district concerned”; (f) paragraph 12; (g) in paragraph 14(1) the words “for the petty sessions district concerned”; (h) in paragraph 15(b) the words “acting for the petty sessions district concerned”; (i) in paragraph 17(2) the words from “or substituting a new petty sessions district” to the end.
The Race Relations (Northern Ireland) Order 1997 (NI 6)	In Article 54(8) the words “outside its division”.
The Family Homes and Domestic Violence (Northern Ireland) Order 1998 (NI 6)	<p>Article 34(3)(c) and(9).</p> <p>In Article 39—</p> <ul style="list-style-type: none"> (a) in paragraph (2)(b) the words “a divorce county court”; (b) in paragraph (2)(c) the words “a civil partnership proceedings county court”; (c) in paragraph (4) sub-paragraph (a), the word “such” in sub-paragraph (b) and the words from “and except” to the end; (d) in paragraph (6) the words “a divorce county court” and “a civil partnership proceedings county court”.
The Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)	<p>In Article 11(1)(a) the words “assigned to the petty sessions district in which the court will sit”.</p> <p>In Article 31—</p> <ul style="list-style-type: none"> (a) in paragraph (1) the words “acting for the same petty sessions district”;

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	<p>(b) in paragraph (3) the words from “acting for the same petty sessions district” to “county court division”.</p> <p>Article 36B(3).</p> <p>In Article 36ZC—</p> <p>(a) in paragraph (4) the words “which has made a parental compensation order”;</p> <p>(b) paragraph (7).</p> <p>Article 36D(1), (3) and (5).</p> <p>Article 36F(3).</p> <p>Article 36I(1), (2) and (4).</p> <p>Article 36K(5) and (7).</p> <p>In Article 38(2)(i) the words “for the petty sessions district in which that child resides or in which the attendance centre specified in the order is situated”.</p> <p>In Schedule 1A—</p> <p>(a) in paragraph 1(2) the words from “acting for the petty sessions district” to the end;</p> <p>(b) paragraph 5(6)(c);</p> <p>(c) paragraph 7(3);</p> <p>(d) paragraph 8(8)(d).</p>
The Criminal Justice (Northern Ireland) Order 1998 (NI 20)	<p>In Article 9—</p> <p>(a) paragraph (6);</p> <p>(b) paragraph (9)(b) and the word “or” immediately before it;</p> <p>(c) paragraph (10).</p>
The Fair Employment and Treatment (Northern Ireland) Order 1998 (NI 21)	<p>In Article 40(8) the words “outside its division”.</p>
The Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)	<p>In Schedule 4, paragraph 3(3).</p>

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The Company Directors Disqualification (Northern Ireland) Order 2002 (NI 4)	<p>In Article 5(2)(c) the words “acting for the same petty sessions district”.</p> <p>In Article 8(2) the words “acting for the same petty sessions district”.</p>
The Justice (Northern Ireland) Act 2002 (c. 26)	<p>Section 9.</p> <p>In section 90(1A) “, 9(4)”.</p> <p>In Schedule 4, paragraph 17.</p>
The Finance Act 2003 (c. 14)	<p>In Schedule 12 in paragraph 5(3)(a) the words “for a division”.</p>
The Crime (International Co-operation) Act 2003 (c. 32)	<p>In section 59(2)(c) the words “acting for the petty sessions district in which the applicant resides”.</p>
The Sexual Offences Act 2003 (c. 42)	<p>Section 125(7).</p> <p>In section 136(5) the words “subject to subsection (6)”.</p> <p>Section 136(6) and (7).</p>
The Civil Partnership Act 2004 (c. 33)	<p>Section 188 (4) to (6) and (9).</p> <p>In section 188(8) the words “civil partnership proceedings” and “which is exercisable by county courts generally”.</p> <p>In section 189(1)(a) and (b) the words “civil partnership proceedings”</p> <p>In Schedule 15 paragraph 63(1)(b) and the word “and” immediately before it.</p> <p>In Schedule 16 in paragraph 8(3) the words from “acting for the same petty sessions district” to the end.</p> <p>In Schedule 29, paragraphs 50 and 94(4).</p>
The Criminal Justice (Northern Ireland) Order 2004 (NI 9)	<p>Article 10(4)(b) and (c) and (5).</p>
The Criminal Justice (Evidence) (Northern Ireland) Order 2004 (NI 10)	<p>Article 40(4).</p>

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The Anti-Social Behaviour (Northern Ireland) Order 2004 (NI 15)	<p>In Article 3(2) the words “for the county court division in which it is alleged that the harassment, alarm or distress was caused or was likely to be caused”.</p> <p>In Article 6B(14)(a) the words “acting for the same county court division as that court”.</p>
The Constitutional Reform Act 2005 (c. 4)	In Schedule 5, paragraphs 36, 50, 63(2) and 117.
The Serious Organised Crime and Police Act 2005 (c. 15)	In section 80(4) the words “(or in Northern Ireland for the same county court division)”.
The Forced Marriage (Civil Protection) Act 2007 (c. 20)	In Schedule 1, in paragraph 11 the words “a divorce county court”.
The Road Traffic (Northern Ireland) Order 2007 (NI 10)	<p>In Article 10(3), in the inserted Article 32B(5) of the Offenders Order, the words “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.</p> <p>In Article 10(3), in the inserted Article 32B(7) of the Offenders Order, the words “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.</p> <p>In Article 10(3), in the inserted Article 32E(3) of the Offenders Order—</p> <ul style="list-style-type: none"> (a) in the definition of “proper officer” the words “for the petty sessions district for which the court acts”; (b) the definition of “relevant local court”; (c) in the definition of “supervising court” the words “acting in the

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same petty sessions district as the court which made the order”.

In Article 11(1), in the substituted Article 37(6) of the Offenders Order, the words “ or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court ”.

In Article 11(1), in the substituted Article 37(8) of the Offenders Order, omit “ or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court ”.

In Article 11(1), in the substituted Article 38(3) of the Offenders Order—

- (a) in the definition of “proper officer” the words “for the petty sessions district for which the court acts”;
- (b) the definition of “relevant local court”;
- (c) in the definition of “supervising court” the words “acting in the same petty sessions district as the court which made the order”.

In Article 45, in the inserted Article 8A(3)(e) of the Order of 1981, the words “acting for the petty sessions district in which the person resides”.

In Article 60(12) the words “acting for the petty sessions district in which the person resides”.

In Article 64(5)(b) the words “acting for the petty sessions district in which the person resides”.

The Criminal Justice and Immigration Act 2008 (c. 4)

In section 82(4)(b)(v) the words “in a petty sessions district”.

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	<p>In section 87—</p> <ul style="list-style-type: none"> (a) subsection (2); (b) in subsection (3) the word “Otherwise” and the words from “for such petty sessions district” to the end; (c) in subsection (4) the words “(2 or”; (d) subsection (5). <p>In section 88—</p> <ul style="list-style-type: none"> (a) in subsection (1) the words “for a petty sessions district”; (b) in subsection (2) the words “acting for the petty sessions district”.
The Human Fertilisation and Embryology Act 2008 (c. 22)	In section 54(9)(c) the words “within whose division the child is”.
The Counter-Terrorism Act 2008 (c. 28)	In Schedule 5 in paragraph 10(2) the words “for the petty sessions district which includes the area where the person subject to the order resides”.
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	<p>In Article 60(1), in the inserted Article 38B(5) of the Offenders Order, the words “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.</p> <p>In Article 60(1), in the inserted Article 38E(3) of the Offenders Order—</p> <ul style="list-style-type: none"> (a) in the definition of “proper officer” the words “for the petty sessions district for which the court acts”; (b) the definition of “relevant local court”; (c) in the definition of “supervising court” the words “acting for the same petty sessions district as the court which made the order”.

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	<p>In Article 61(4)(b) the words “acting for a petty sessions district”.</p> <p>Article 92.</p> <p>In Schedule 3—</p> <p>(a) paragraph 2(1);</p> <p>(b) paragraph 3(4);</p> <p>(c) in paragraph 5(2) the words “having jurisdiction in the place where the offender is arrested”;</p> <p>(d) paragraph 6(2);</p> <p>(e) paragraph 6(5);</p> <p>(f) in paragraph 8(1)(b) the words from “having jurisdiction” to the end.</p>
The Northern Ireland Act 2009 (c. 3)	In Schedule 4, paragraphs 17 and 33.
The Marine and Coastal Access Act 2009 (c. 23)	In Schedule 17 in paragraph 10(2) (b) the words “for the petty sessions district in which the dwelling is situated”.
The Coroners and Justice Act 2009 (c. 25)	<p>In section 77(6) the words “for the petty sessions district in which the application for an investigation anonymity order is made”.</p> <p>In section 79(6)(b) the words “of the county court division in which the appeal is made”.</p>
The Caravans Act (Northern Ireland) 2011 (c. 12)	<p>In section 6(1) the words “for the county court division in which the protected site is situated”.</p> <p>In section 10(1) the words “for the county court division in which the caravan site is situated”.</p>
The Welfare of Animals Act (Northern Ireland) 2011 (c. 16)	In Schedule 3 in paragraph 3(9) the words from “for the petty sessions district” to the end.
The Justice Act (Northern Ireland) 2011 (c. 24)	In section 46(3) the words “acting for the same county court division as that court”.

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	In section 47(6) the words “acting for the same county court division as that court”.
	Section 54.
	Section 91(4).
The Anti-social Behaviour, Crime and Policing Act 2014 (c. 12)	In Schedule 11, paragraph 71(5).
The Serious Crime Act 2015 (c. 9)	In Schedule 2, in paragraph 11(2) (c) the words “for the petty sessions district in which the lay magistrate was acting when he or she issued the warrant”.
The Justice Act (Northern Ireland) 2015 (c.)	In section 93— (a) in subsection (1) the words “for any county court division” and “in respect of which a magistrates' court for that county court division has jurisdiction to hear a charge”; (b) subsection (2).

PROSPECTIVE

^{F1} **PART 2 N.I.**

RESTRICTION ON HOLDING PRELIMINARY INVESTIGATIONS AND MIXED COMMITTALS

Textual Amendments

F1 Sch. 9 Pt. 2 repealed (17.10.2022) by Criminal Justice (Committal Reform) Act (Northern Ireland) 2022 (c. 4), s. 5(2), **Sch. para. 18(d)**; S.R. 2022/221, art. 2(d)

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PROSPECTIVE

PART 3 **N.I.**

CRIMINAL RECORDS

Short Title	Extent of Repeal
The Police Act 1997 (c. 50)	<p>Section 113A(4).</p> <p>In section 113B—</p> <p>(a) in subsection (4) the words “in the chief officer's opinion”;</p> <p>(b) subsections (5) and (6);</p> <p>(c) in subsection (9) the definition of “relevant police force”.</p> <p>In section 119B—</p> <p>(a) subsection (5)(a); and</p> <p>(b) in subsection (5)(c) the words from “or disclosed” to the end.</p> <p>In section 120(2) paragraph (c) and the word “and” immediately before it.</p> <p>Section 122(3A)(a).</p> <p>In section 124—</p> <p>(a) in subsection (4)(b) the words “5 or”;</p> <p>(b) subsection (5).</p> <p>In section 124A(1)(c) the words “or registered person”.</p>
The Safeguarding Vulnerable Groups Act 2006 (c. 47)	In Schedule 9, paragraph 14(5) and (6).
The Justice Act (Northern Ireland) 2011 (c. 24)	Section 101.

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VALID FROM 29/04/2016

PART 4 **N.I.**

LIVE LINKS

Short Title	Extent of Repeal
The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)	Article 80A.
The Criminal Justice (Northern Ireland) Order 2003 (NI 13)	Article 31.
The Constitutional Reform Act 2005 (c. 4)	In Schedule 5, paragraph 78.
The Criminal Justice (Northern Ireland) Order 2005 (NI 15)	Article 24.
The Criminal Justice (Northern Ireland) Order 2008 (NI 1)	In Article 79(3)(a) the words “or detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986”.
The Justice Act (Northern Ireland) 2011 (c. 24)	Section 14. In section 16(11)(a) the words “or detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986”. In section 17(11)(a) the words “or detained in a hospital under Part 3 of the Mental Health (Northern Ireland) Order 1986”.

PROSPECTIVE

PART 5 **N.I.**

JURY SERVICE

Short Title	Extent of Repeal
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Status: Point in time view as at 29/01/2016.

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The Juries (Northern Ireland) Order
1996 (NI 6)

Article 2(3).

Article 4(2)(b)(i).

In Schedule 2, the entries relating to a person appointed for the purposes of Article 7(6) of the Treatment of Offenders (Northern Ireland) Order 1976 and to members of the Royal Irish Regiment.

The European Parliamentary Elections
Act 2002 (c. 24)

In Schedule 3, paragraph 3.

PART 6 **N.I.**

YOUTH JUSTICE

Short Title	Extent of Repeal
The Criminal Justice Act (Northern Ireland) 2013 (c. 7)	Section 10(5).

Status:

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Changes to legislation:

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