

These notes refer to the Protection from Stalking Act (Northern Ireland) 2022 (c.17) which received Royal Assent on 26 April 2022

Protection from Stalking Act (Northern Ireland) 2022

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 6 to 17 – Stalking Protection Orders

Section 12 - Content of, and procedure for, orders

This section sets out what details must be specified within the terms of an order or an interim

Order and some procedural details on the operation of the Act in a court of summary jurisdiction.

Subsection (2) provides that an application to a court of summary jurisdiction for the making, renewal, variation or discharge of a stalking protection order (or interim order) is to be made by complaint. This is the process by which civil matters are commenced in the magistrates' court.

Subsection (3) provides that Article 78(1) of the Magistrates' Courts (NI) Order 1981 (time limits) does not apply to any such application.

This means that there is no requirement for a magistrates' court to hear proceedings for an order within six months from the time when the acts associated with stalking were carried out.

Subsections (4) to (7) provide that where a person is under 18 when an application for an order against them is made, or when an application is made to vary or renew or discharge an existing order against them, the application is to be heard in a youth court.