

SCHEDULE

Section 3.

Amendments and repeals: Abolition of
preliminary investigations and mixed committals*The Criminal Justice Act (Northern Ireland) 1945 (c. 15)*

1. In section 45(1) in the definition of “court of summary jurisdiction” for “investigation of” substitute “inquiry into”.

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

2. In section 110(1) for “investigation of” substitute “inquiry into”.

The Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10)

3. In section 3(1) for “investigation of” (twice) substitute “inquiry into”.

*The Criminal Justice (Miscellaneous
Provisions) Act (Northern Ireland) 1968 (c. 28)*

4. In section 1(9) for “investigation of” substitute “inquiry into”.

The Criminal Jurisdiction Act 1975 (c. 59)

5. Sections 4(3) and 10 are repealed.

The Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

6. In section 41(2)(b) the words “preliminary investigation or” are repealed.

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

7. In Article 29(2)(b) the words “the depositions taken at the preliminary investigation or, as the case may be,” and “, and any depositions taken,” are repealed.

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

- 8.—(1) The following provisions are repealed—
 - (a) in Article 2(3), in the definition of “summary proceeding”, the words “a preliminary investigation or” and “investigation or”;
 - (b) in Article 16(1)(a) the words “or a preliminary investigation”;
 - (c) Article 31.
- (2) In Article 32(1) for the words from the beginning to “together with” in subparagraph (a) substitute—

“(1) Where a preliminary inquiry into an indictable offence is to be held by a magistrates’ court, the prosecution shall—

(a) send”.

(3) The following provisions are repealed—

- (a) in Article 32(1)(b) the words “a copy of that notice together with”;
- (b) Article 32(3) and (4)(a);
- (c) in Article 33(1) the words “to the like extent as oral evidence to the like effect by that person”;
- (d) in Article 35 the words “a preliminary investigation or” and “investigation or”;
- (e) Article 37(1);
- (f) in Article 37(5) the words “investigation or”;
- (g) in Article 39(1) the words “investigation or”;
- (h) in Article 42(1) the words from “or the deposition taken” to “on his behalf,”;
- (i) in Article 42(3) the words “(other than a statement which is to be disregarded under Article 34(2))”;
- (j) in Article 44(1) and (2) the words “investigation or”;
- (k) in Article 46(1) the words “whether any evidence shall then have been given or not”;
- (l) in Article 46(2) the words “depositions shall be taken or, as the case may require,”;
- (m) in Schedule 4 in paragraphs 1 and 3 the words “the preliminary investigation or”;
- (n) in Schedule 5, paragraph 3.

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

9. In Article 58(7) the words “preliminary investigation or” are repealed.

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

10. Article 3(1)(c)(i) is repealed.

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

11. The following provisions are repealed—

- (a) Article 80A(4)(a);
- (b) in Article 81(1A)—

- (i) in sub-paragraph (a) the words “to preliminary investigations or preliminary inquiries into indictable offences,”;
- (ii) sub-paragraph (c) and the word “and” immediately before it;
- (c) in Article 81(7) the words “at a preliminary investigation or a preliminary inquiry into an indictable offence or”;
- (d) Article 81A(10).

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

12. Article 4(2)(a) is repealed.

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

13. In Article 9(1) the words “investigation or” are repealed.

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

14. The following provisions are repealed—
- (a) Article 23;
 - (b) in Article 29(2)(b)(i) the words “preliminary investigation or”;
 - (c) in Schedule 5, paragraph 18.

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

15. The following provisions are repealed—
- (a) Article 15(10);
 - (b) in Article 29(3)(a) the words “preliminary investigation or”.

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

16. Article 10(2)(c) is repealed.

The Justice and Security (Northern Ireland) Act 2007 (c. 6)

17. Section 3 is repealed.

The Justice Act (Northern Ireland) 2015 (c. 9)

18. The following provisions are repealed—
- (a) Chapter 1 of Part 2;
 - (b) in section 13(3) the words “(1) or”;
 - (c) section 49(12);

(d) in Schedule 9, Part 2.