

DRAFT STATUTORY RULES OF NORTHERN
IRELAND

2010 No.

POLICE

**Police (Northern Ireland) Act 2000 (Renewal of Temporary
Provisions) Order 2010**

Made - - - -

Coming into operation- - *29th March 2010*

This Order is made in exercise of the powers conferred by section 47(3) of the Police (Northern Ireland) Act 2000(a).

The Secretary of State has had regard to the progress that has been made towards securing that membership of the police and the police support staff is representative of the community in Northern Ireland in accordance with section 47(4)(a) of the Police (Northern Ireland) Act 2000.

The Secretary of State has consulted the Northern Ireland Policing Board about this Order in accordance with section 47(4)(b) of the Police (Northern Ireland) Act 2000, without the Northern Ireland Policing Board making any recommendations to him.

And whereas a draft of this Order has been approved by resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order:

Citation and commencement

1. This Order may be cited as the Police (Northern Ireland) Act 2000 (Renewal of Temporary Provisions) Order 2010 and shall come into operation on 29th March 2010.

Renewal of temporary provisions

2. The “temporary provisions” of the Police (Northern Ireland) Act 2000, as defined in section 47(1) of that Act, which are in force on 28th March 2010 shall continue in force for the period beginning 28th March 2010 and ending 28th March 2011.

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 47(1) of the Police (Northern Ireland) Act 2000 (“the 2000 Act”), the following provisions are “the temporary provisions”:

- (a) Article 40A of the Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6));
- (b) Article 71A of the Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21));
- (c) section 44(5) to (7) of the 2000 Act;
- (d) section 45 of the 2000 Act;
- (e) section 46 of the 2000 Act.

In the case of police trainees and police support staff the temporary provisions require the Chief Constable to appoint from a pool of qualified applicants, an even number of persons one half of whom are to be persons treated as Roman Catholic and one half persons not so treated (“50:50 recruitment”). The temporary provisions also allow the Chief Constable and the Northern Ireland Policing Board to make appointments of police officers from suitably qualified external candidates.

Under section 47(2) of the 2000 Act the temporary provisions expire on the third anniversary of the commencement date of section 47. Section 47 was commenced on 30th March 2001 by the Police (Northern Ireland) Act 2000 (Commencement No. 2) Order 2001 (S.R. 2001 No. 132 (C.6)). The Police (Northern Ireland) Act 2000 (Renewal of Temporary Provisions) Order 2004 (S.R. 2004 No. 114) continued in force the temporary provisions until 28th March 2007. The Police (Northern Ireland) Act 2000 (Renewal of Temporary Provisions) Order 2007 (S.R. 2007 No. 214) continued in force the temporary provisions until 28th March 2010. This Order continues in force the temporary provisions until 28th March 2011. Section 39(2) of the Interpretation Act (Northern Ireland) 1954 provides that the first day of any period of time in an enactment is to be discounted, and applies by virtue of section 77(2) of the 2000 Act. The effect is that the one year renewal period in this Order begins on 29th March 2010 and 28th March 2010 is not included in the period.

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