

## SCHEDULES

### SCHEDULE 1

Article 46(1)

#### CONSEQUENTIAL AMENDMENTS

##### *Criminal Procedure Act 1865 (c. 18)*

1. In section 6 (witness' conviction for offence may be proved if not admitted)—
  - (a) for “A witness may be” there is substituted “If, upon a witness being lawfully”;
  - (b) the words “and upon being so questioned, if” are omitted.

##### *Criminal Evidence Act (Northern Ireland) 1923 (c. 9)*

2. In section 1 (defendant as witness)—
  - (a) at the beginning of subsection (2) there is inserted “Subject to Article 6 of the Criminal Justice (Evidence) (Northern Ireland) Order 2004 (admissibility of defendant’s bad character),”;
  - (b) subsection (3) is omitted.

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

- 3.—(1) Article 72 (conviction as evidence of commission of offence) is amended as follows.
  - (2) In paragraph (1) (commission of offence by non-defendant) for the words from “, where to do so” to “committed that offence” there is substituted “that that person committed that offence, where evidence of his having done so is admissible”.
  - (3) In paragraph (3) (commission of offence by defendant) the words from “in so far” to “he is charged,” are omitted.

### SCHEDULE 2

Article 46(2)

#### REPEALS

Short Title	Extent of repeal
The Criminal Procedure Act 1865 (c. 18)	In section 6, the words “and upon being so questioned, if”.
The Criminal Evidence Act (Northern Ireland) 1923 (c. 9)	Section 1(3)
The Criminal Evidence Act 1979 (c. 16)	The whole Act.
The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)	In Part I of Schedule 6, paragraph 60.

*Status: This is the original version (as it was originally made).*

Short Title	Extent of repeal
The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (NI 17)	Part II.  Schedule 1.  In Schedule 2, paragraph 2.
The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)	In Article 72(3), the words from “in so far” to “he is charged,”.
The Finance Act 1994 (c. 9)	Section 22(2)(f).  In Schedule 7, paragraph 1(6)(f).
The Value Added Tax Act 1994 (c. 23)	In Schedule 11, paragraph 6(6)(d).
The Children’s Evidence (Northern Ireland) Order 1995 (NI 3)	In Schedule 2, paragraph 10.
The Finance Act 1996 (c. 8)	In Schedule 5, paragraph 2(6)(e).
The Criminal Justice (Northern Ireland) Order 1996 (NI 24)	Article 44.
The Civil Evidence (Northern Ireland) Order 1997 (NI 21)	In Schedule 1, paragraph 5.
The Criminal Evidence (Northern Ireland) Order 1999 (NI 8)	In Schedule 1, paragraph 1(5).  In paragraph 1(7) of Schedule 1 the words “, (f)” and “, (3)”.
The Finance Act 2000 (c. 17)	In Schedule 6, paragraph 126(2)(d).
The Finance Act 2001 (c. 9)	In Schedule 7, paragraph 3(2)(d).
The Crime (International Co-operation) Act 2003 (c. 32)	In section 9(4), the words “or Article 5 of the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (SI 1988/ 1847 (NI 17))”.