

CRIMINAL JUSTICE (NORTHERN IRELAND) ORDER 2008

S.I. 2008 No. 1216 (N.I. 1)

EXPLANATORY MEMORANDUM

4.

LEGISLATIVE BACKGROUND

- 4.1. This Order is made by the Order in Council procedure under Section 85 of the Northern Ireland Act 1998 and was subject to affirmative resolution. As required by the Act, the draft Order was laid along with a statement of the representations made during consultation, a report on the draft proposal by the Northern Ireland Assembly, and a statement containing details of changes made after consultation.
- 4.2. The sentencing provisions in the Order build on existing sentencing legislation for Northern Ireland by way of the Criminal Justice (NI) Order 1996; the Life Sentences (NI) Order 2001; and the Treatment of Offenders Act (NI) 1968. Road traffic powers update the Road Traffic (NI) Order 1995 and Road Traffic Offenders (NI) Order 1996. A range of other underpinning legislation is updated including the Prison Act (NI) 1953 and the Licensing (NI) Order 1996. Most of the powers are based on similar provisions in England and Wales.