

**2012 No. 449 (C. 47)**

**JUSTICE**

**The Justice (2011 Act) (Commencement No. 5) Order (Northern  
Ireland) 2012**

*Made* - - - - *12th December 2012*

The Department of Justice, in exercise of the powers conferred by section 111(3) of the Justice Act (Northern Ireland) 2011(a), makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Justice (2011 Act) (Commencement No. 5) Order (Northern Ireland) 2012.

(2) In this Order, “the 2011 Act” means the Justice Act (Northern Ireland) 2011.

**Appointed Day**

2. The day appointed for the coming into operation of the following provisions of the 2011 Act is 7th January 2013 —

- (a) section 82 (eligibility of persons in receipt of guarantee credit);
- (b) section 86 (civil legal services: scope).

Sealed with the Official Seal of the Department of Justice on 12th December 2012



*David Ford*  
Minister of Justice

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation certain provisions of the Justice Act (Northern Ireland) 2011 (c.24) (“the Act”).

The provisions of the Act set out in Article 2 come into operation on 7th January 2013.

Section 82 amends the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 to include applicants in receipt of the guarantee credit element of State Pension Credit as automatically meeting, in certain circumstances, the financial test for civil legal aid.

Section 86 amends Schedule 2 to the Access to Justice (Northern Ireland) 2003 to ensure that civil legal services are available for applications in the Crown Court or in a court of summary jurisdiction to vary or discharge a witness anonymity order or an order under the Protection from Harassment (Northern Ireland) Order 1997. The Schedule is also amended so that civil legal services will also be available in a court of summary jurisdiction for applications for a foreign travel restriction order or to vary, renew or discharge a foreign travel restriction order; for applications to discharge an investigation anonymity order; or for applications to release property subject to a confiscation order under the Proceeds of Crime Act 2002.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Sections 14 to 19, 54, 56, 96, 97, 98, 99, 109 (partially), 110 (partially), Schedule 6 (partially), Schedule 7 (partially) and Schedule 8 (partially)	5th July 2011	S.R. 2011 No. 224 (C. 14)
Section 35 (partially) and Schedule 3 (partially), sections 36 to 40 and 50 (partially)	1st August 2011	S.R. 2011 No. 224 (C. 14)
Section 103	1st December 2011	S.R. 2011 No. 370 (C.26)
Sections 7 to 11, 13, 35 (so far as not already in operation) and Schedule 3 (so far as not already in operation), 41 to 49, 50 (so far as not already in operation), 100, 110 (partially), Schedule 7 (partially) and Schedule 8 (partially)	1st January 2012	S.R. 2011 No. 370 (C.26)
Sections 20 to 34 and Schedules 1 and 2, sections 81 and 110 (partially), Schedule 7 (partially) and Schedule 8 (partially).	1st April 2012	S.R. 2012 No. 142 (C.14)
Section 1 (partially), sections 2 to 4, section 5 (partially), section 6 (partially), sections 59 to 70 and Schedule 4	6th June 2012	S.R. 2012 No. 214 (C.18)
Section 83 (partially) and section 91	11th June 2012	S.R. 2012 No. 214 (C.18)
Section 90 (partially)	1st September 2012	S.R. 2012 No. 214 (C.18)

© Crown copyright 2012

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.



**2012 No. 449 (C. 47)**

**JUSTICE**

The Justice (2011 Act) (Commencement No. 5) Order (Northern  
Ireland) 2012

£4.00

N5673 12/2012 425673T 19585

ISBN 978-0-337-98992-6



9 780337 989926