



# Northern Ireland (Emergency Provisions) (Amendment) Act 1975

## 1975 CHAPTER 62

An Act to amend the Northern Ireland (Emergency Provisions) Act 1973; to make further provision with respect to criminal proceedings, the maintenance of order and the detection of crime in Northern Ireland; to provide for the detention of terrorists there; and for connected purposes. [7th August 1975]

### Modifications etc. (not altering text)

C1 “The principal Act” means the [Northern Ireland \(Emergency Provisions\) Act 1973 \(c. 53\)](#)

*Trial of certain offences, etc.*

### 1 Admissibility of written statements made outside Northern Ireland.

- (1) Section 1 of the <sup>M1</sup>Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (admissibility of written statements in criminal proceedings other than preliminary investigations and preliminary enquiries), section 3 of the <sup>M2</sup>Criminal Procedure (Committal for Trial) Act (Northern Ireland) 1968 (admissibility of written statements in preliminary enquiries) . . . <sup>F1</sup> shall apply to written statements made in Great Britain as well as to written statements made in Northern Ireland.
- (2) The said section 3 shall apply also to written statements made outside the United Kingdom and (after the commencement of section 9 of the <sup>M3</sup>Criminal Jurisdiction Act 1975) the Republic of Ireland, but, in relation to such statements, that section shall have effect with the omission of subsection (2)(c).

### Textual Amendments

F1 Words repealed by [S.I. 1979/1714, Sch. 2](#)

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)*

**Marginal Citations**

- M1 1968 c. 28 (N.I.)
- M2 1968 c. 32 (N.I.)
- M3 1975 c. 59.

2—5 ..... F2

**Textual Amendments**

F2 Ss. 2–5, 6(1)(2)(a) repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), Sch. 6 Pt. 1

6 (1) ..... F3

(2) (a) ..... F3

(b) in paragraph 2(3) of Schedule 2 to the Criminal Jurisdiction Act 1975 for the words from “on that date” onwards there shall be substituted the words “on that date any committal for trial of the offence by a county court or by a court of assize other than the Belfast City Commission shall be treated as a committal to that Commission”.

(3) This section shall not apply to a trial on indictment where the accused was committed to the Belfast Recorder’s Court before the commencement of this Act.

**Textual Amendments**

F3 Ss. 2–5, 6(1)(2)(a) repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), Sch. 6 Pt. 1

**Modifications etc. (not altering text)**

C2 The text of Ss. 6(2)(b)(3), 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**7 Repeal of s.5 of principal Act.**

Section 5 of the principal Act (admissibility in certain circumstances in criminal proceedings for scheduled offences of written statements made and signed in the presence of a constable) shall cease to have effect and section 30(6) of that Act shall apply accordingly.

**Modifications etc. (not altering text)**

C3 The text of Ss. 6(2)(b)(3), 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

8 ..... F4

*Changes to legislation:* There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

**Textual Amendments**

**F4** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

*Powers of detention, search, seizure, etc.*

**9 Detention of terrorists, etc.**

- (1) ..... <sup>F5</sup>
- (2) The transitional provisions set out in Part II of Schedule 1 to this Act shall have effect.
- (3) ..... <sup>F5</sup>

**Textual Amendments**

**F5** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

**10, 11.** ..... <sup>F6</sup>

**Textual Amendments**

**F6** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

*Offences against public security and public order*

**12, 13.** ..... <sup>F7</sup>

**Textual Amendments**

**F7** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

**14 Riotous and disorderly behaviour.**

... <sup>F8</sup> section 9(1) of the <sup>M4</sup>Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 shall have effect as originally enacted.

**Textual Amendments**

**F8** Words repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)*

**Marginal Citations**

**M4** 1968 c. 28 (N.I)

15— ..... <sup>F9</sup>  
19.

**Textual Amendments**

**F9** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

*Miscellaneous and general*

**20 Interpretation, etc.**

- (1) In this Act “the principal Act” has the meaning assigned by section 3 above and any expression used in this Act and in the principal Act shall have the same meaning in this Act as in that Act.
- (2) Any reference in this Act, except so far as the context otherwise requires, to an enactment shall be construed as a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.
- (3) It is hereby declared that, in applying section 38(1) of the <sup>M5</sup>Interpretation Act 1889 (effect of repeal and re-enactment) for the construction of references in this Act to other Acts, account is to be taken of repeal and re-enactment by a Measure of the Northern Ireland Assembly or an Order in Council.

**Marginal Citations**

**M5** 1889 c. 63.

21, 22. .... <sup>F10</sup>

**Textual Amendments**

**F10** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

**23 †Short title, repeals and extent.**

- (1) This Act may be cited as the Northern Ireland (Emergency Provisions) (Amendment) Act 1975.
- (2) ..... <sup>F11</sup>
- (3) This Act shall extend to Northern Ireland only.

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**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

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**Textual Amendments**

**F11** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

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**Modifications etc. (not altering text)**

**C4** Unreliable marginal note

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### <sup>F12</sup>PART I

##### Textual Amendments

**F12** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

#### PART II

##### TRANSITIONAL PROVISIONS

- 16 (1) Any interim custody order or detention order made under Schedule 1 to the principal Act which is in force immediately before the commencement of this Act shall have effect as if it had been made under paragraph 4 or paragraph 8 above, as the case may be, and, in the case of an interim custody order, as if it had been so made immediately upon the commencement of this Act.
- (2) Any statement served under paragraph 13 of Schedule 1 to the principal Act shall have effect as if it had been served under paragraph 6 above immediately upon the commencement of this Act.
- (3) Any proceedings under Part III of Schedule 1 to the principal Act which have begun but are not completed before the commencement of this Act shall be continued as if this Act had not been passed.
- (4) In so far as any other thing made or done under Schedule 1 to the principal Act could have been made or done under any provision of Part I of this Schedule, it shall have effect as if it had been made or done under that provision.

#### <sup>F13</sup><sup>F13</sup>SCHEDULES 2, 3

##### Textual Amendments

**F13** Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975.