



Northern Ireland (Emergency Provisions) Act 1996 (repealed)

1996 CHAPTER 22

PART VII

MISCELLANEOUS

54 Codes of practice: supplementary.

- (1) This section applies to a code of practice under section 52 or 53.
- (2) When the Secretary of State proposes to issue a code of practice he shall prepare and publish a draft of the code, shall consider any representations made to him about the draft and may modify the draft accordingly.
- (3) The Secretary of State shall lay before both Houses of Parliament a draft of any code of practice prepared by him; and when he has laid the draft of the code before both Houses he may by order bring the code into operation.
- (4) An order bringing a code of practice into operation may contain such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient.
- (5) The Secretary of State may from time to time revise the whole or any part of a code of practice issued by him and issue the code as revised; and subsections (2) to (4) shall apply (with appropriate modifications) to such a revised code as they apply to the first issue of a code.
- (6) A failure on the part of a police officer to comply with any provision of a code shall not of itself render him liable to any criminal or civil proceedings.
- (7) A failure on the part of a member of Her Majesty's forces to comply with any provision of a code shall not of itself render him liable to any criminal or civil proceedings other than—
 - (a) proceedings under any provision of the ^{M1}Army Act 1955 or the ^{M2}Air Force Act 1955 other than section 70 (civil offences); and

Status: Point in time view as at 25/08/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1996 (repealed), Section 54. (See end of Document for details)

- (b) proceedings under any provision of the ^{M3}Naval Discipline Act 1957 other than section 42 (civil offences).
- (8) In all criminal and civil proceedings any code shall be admissible in evidence; and if any provision of a code appears to the court or tribunal conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.
- (9) In this section—
“criminal proceedings” includes proceedings in Northern Ireland before a court-martial constituted under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 or a disciplinary court constituted under section 50 of the 1957 Act and proceedings in Northern Ireland before the Courts-Martial Appeal Court;
“police officer” means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.

Marginal Citations

M1 1955 c. 18.

M2 1955 c. 19.

M3 1957 c. 53.

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