

SCHEDULES

SCHEDULE 8

TRANSITIONAL PROVISIONS, SAVINGS AND TRANSITORY MODIFICATIONS

PART 2

TRANSITORY MODIFICATIONS

Justice (Northern Ireland) Act 2002 (c. 26)

- 26 (1) This paragraph applies if paragraph 25 of Schedule 7 to the Justice (Northern Ireland) Act 2002 has not come into force before the commencement of this Act.
- (2) Until the relevant commencement date, section 93(4)(b) has effect as if for “the Advocate General for Northern Ireland” there were substituted “the Attorney General for Northern Ireland”.
- (3) The relevant commencement date is—
- (a) if an order has been made before the commencement of this Act appointing a day after that commencement as the day for the coming into force of paragraph 25 of Schedule 7 to the Justice (Northern Ireland) Act 2002 (c. 26), the day so appointed;
 - (b) otherwise, such day as the Secretary of State may by order appoint.

Communications Act 2003 (c. 21)

- 27 (1) This paragraph applies if—
- (a) section 180 of the Communications Act 2003, and
 - (b) Schedule 6 to that Act,
- have not come into force before the commencement of this Act.
- (2) Until the relevant commencement date, this Act has effect with the omission of—
- (a) section 96, and
 - (b) Schedule 4.
- (3) The relevant commencement date is—
- (a) if an order has been made before the commencement of this Act appointing a day after that commencement as the day for the coming into force of the provisions mentioned in sub-paragraph (1), the day so appointed;
 - (b) otherwise, such day as the Secretary of State may by order appoint.

Power to make transitional provision

- 28 Section 121(3) of this Act does not apply to an order made by the Secretary of State under paragraph 26 or 27, but—

Status: This is the original version (as it was originally enacted).

- (a) an order under paragraph 26 may make such provision as may be made by an order under section 89(1) of the Justice (Northern Ireland) Act 2002 in connection with the coming into force of a provision of that Act, and
- (b) an order under paragraph 27 may make such provision as, by virtue of section 411(4) of the Communications Act 2003, is authorised to be made by an order under section 411(2) of that Act.

Saving for old transitional provisions

- 29 (1) This paragraph applies to any transitional or transitory provision or saving (“the transitional provision”) made in connection with the coming into force of any provision of the Justice (Northern Ireland) Act 2002 or the Communications Act 2003 mentioned in sub-paragraph (1) of paragraph 26 or 27 (“the old enactment”).
- (2) If the old enactment is in force before the commencement of the provision of this Act reproducing its effect (“the corresponding provision of this Act”), the transitional provision is to continue to have effect (so far as capable of doing so) in relation to the corresponding provision of this Act.
- (3) Sub-paragraph (4) applies if—
- (a) sub-paragraph (2) does not apply, but
 - (b) before the commencement of this Act an order has been made appointing a day for the coming into force of the old enactment.
- (4) The transitional provision is to have effect from the date so appointed in relation to the corresponding provision of this Act.