



Justice and Security (Northern Ireland) Act 2007

2007 CHAPTER 6

Trials on indictment without a jury

^{F13} Preliminary inquiry

- (1) This section applies where a certificate under section 1 has been issued in relation to any trial on indictment of a person charged with one or more indictable offences.
- (2) In proceedings before a magistrates' court for the offence or any of the offences, if the prosecution requests the court to conduct a preliminary inquiry into the offence the court must grant the request.
- (3) In subsection (2) “preliminary inquiry” means a preliminary inquiry under the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).
- (4) Subsection (2)—
 - (a) applies notwithstanding anything in Article 31 of that Order,
 - (b) does not apply in respect of an offence where the court considers that in the interests of justice a preliminary investigation should be conducted into the offence under that Order, and
 - (c) does not apply in respect of an extra-territorial offence (as defined in section 1(3) of the Criminal Jurisdiction Act 1975 (c. 59)).

Textual Amendments

F1 Ss. 1-8 expire on 1.8.2009 by virtue of s. 9(1) of this Act; [S.I. 2007/2045, art. 2\(3\)\(a\)](#)

Modifications etc. (not altering text)

C1 Ss. 1-8: effective period extended until 1.8.2011 by [The Justice and Security \(Northern Ireland\) Act 2007 \(Extension of duration of non-jury trial provisions\) Order 2009 \(S.I. 2009/2090\), art. 2](#)

C2 Ss. 1-8: effective period extended until 1.8.2013 by [The Justice and Security \(Northern Ireland\) Act 2007 \(Extension of duration of non-jury trial provisions\) Order 2011 \(S.I. 2011/1720\), art. 2](#)

Status: Point in time view as at 22/07/2021. This version of this provision has been superseded.

Changes to legislation: Justice and Security (Northern Ireland) Act 2007, Section 3 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- C3** Ss. 1-8: effective period extended until 1.8.2015 by The Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2013 (S.I. 2013/1619), **art. 2**
- C4** Ss. 1-8: effective period extended until 1.8.2017 by The Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2015 (S.I. 2015/1572), **art. 2**
- C5** Ss. 1-8: effective period extended until 1.8.2019 by The Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2017 (S.I. 2017/798), **art. 2**
- C6** Ss. 1-8: effective period extended until 1.8.2021 by The Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2019 (S.I. 2019/1097), **art. 2**
- C7** Ss. 1-8: effective period extended until 1.8.2023 by The Justice and Security (Northern Ireland) Act 2007 (Extension of Duration of Non-jury Trial Provisions) Order 2021 (S.I. 2021/876), **art. 2**

Status:

Point in time view as at 22/07/2021. This version of this provision has been superseded.

Changes to legislation:

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