



# Justice and Security (Northern Ireland) Act 2007

## 2007 CHAPTER 6

### *Trials on indictment without a jury*

#### **3 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 \(c. 59\)](#)).