



Justice and Security (Northern Ireland) Act 2007

2007 CHAPTER 6

Powers: supplementary

36 Code: procedure for order

- (1) An order under section 34(5) shall not be made, subject to subsection (2), unless a draft has been laid before and approved by resolution of each House of Parliament.
- (2) An order may be made without a draft having been approved if the Secretary of State is of the opinion that it is necessary by reason of urgency; and the order—
 - (a) shall contain a declaration of the Secretary of State's opinion, and
 - (b) shall cease to have effect at the end of the period of 40 days beginning with the day on which the Secretary of State makes the order, unless a resolution approving the order is passed by each House during that period.
- (3) For the purposes of subsection (2)—
 - (a) a code of practice or revised code to which an order relates shall cease to have effect together with the order,
 - (b) an order's ceasing to have effect shall be without prejudice to anything previously done or to the making of a new order (or the issue of a new code), and
 - (c) the period of 40 days shall be computed in accordance with section 7(1) of the Statutory Instruments Act 1946 ([c. 36](#)).