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STATUTORY INSTRUMENTS

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**1993 No. 2788**

**NORTHERN IRELAND**

**The Northern Ireland (Emergency Provisions)  
Act 1991 (Codes of Practice) (No. 2) Order 1993**

<i>Made</i>	- - - -	<i>8th November 1993</i>
<i>Laid before Parliament</i>		<i>18th November 1993</i>
<i>Coming into force</i>	- -	<i>1st January 1994</i>

Whereas—

- (1) by section 61(1) of the Northern Ireland (Emergency Provisions) Act 1991<sup>(1)</sup> (hereinafter referred to as “the 1991 Act”) the Secretary of State is required to make codes of practice in connection with the detention, treatment, questioning and identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989<sup>(2)</sup>:
- (2) in pursuance of section 61(2) of the 1991 Act the Secretary of State has prepared and published draft codes of practice in connection with those matters and has considered representations made to him about them and modified them accordingly:
- (3) in pursuance of section 61(3) of the 1991 Act the Secretary of State has laid drafts of the codes of practice before both Houses of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 61(3) and (4) of the 1991 Act, hereby orders as follows:

**Citation and Commencement**

1. This Order may be cited as the Northern Ireland (Emergency Provisions) Act 1991 (Codes of Practice) (No.2) Order 1993 and shall come into force on 1st January 1994.

**Codes of Practice**

2. The codes of practice laid in draft before Parliament on 27th October 1993 in connection with the detention, treatment, questioning and identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall come into operation on 1st January 1994, subject to article 3 of this Order.

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(1) 1991 c. 24.  
(2) 1989 c. 4.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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### **Transitional provisions**

3.—(1) The code of practice for the detention, treatment and questioning of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall apply as follows—

- (a) sections 2, 3, 4, 8, 9 and 15 shall apply to persons who are in such detention where the period of detention commenced after 31st December 1993; and
- (b) the remaining provisions shall apply to persons in such detention after midnight on 31st December 1993, notwithstanding that their period of detention may have commenced before that time.

(2) The code of practice for the identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall apply to any procedures to which the code relates which are carried out after 31st December 1993.

Northern Ireland Office  
8th November 1993

*P. B. B. Mayhew*  
One of Her Majesty's Principal Secretaries of  
State

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order appoints 1st January 1994 as the date on which two codes of practice made under section 61 of the Northern Ireland (Emergency Provisions) Act 1991 will come into operation.

The codes of practice are:—

- (a) a code of practice for the detention, treatment and questioning of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989;
- (b) a code of practice for the identification of persons detained under that Act.

The codes of practice are published by Her Majesty's Stationery Office; copies may be obtained from HMSO bookshops.