

2008 No. 1975

PRISONS

The Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 2008

Made - - - - - *22nd July 2008*

Coming into force - - - *23rd July 2008*

The Secretary of State believes that the organisations specified in the Schedule to this Order are concerned in terrorism connected with the affairs of Northern Ireland, or in promoting or encouraging it, and that they have not established or are not maintaining a complete and unequivocal ceasefire^(a).

The Secretary of State makes the following Order in exercise of the powers conferred by section 3(8) of the Northern Ireland (Sentences) Act 1998.

In accordance with section 19(2) of that Act, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

1.—(1) This Order may be cited as the Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 2008 and shall come into force on the day after the day on which this Order is made.

(2) The Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 2005^(b) is revoked.

2. The organisations specified in the Schedule are specified organisations for the purposes of the Northern Ireland (Sentences) Act 1998.

Northern Ireland Office
22nd July 2008

Paul Goggins
Minister of State

(a) See section 3(10) of the Northern Ireland (Sentences) Act 1998 (c.35) which requires the Secretary of State to review the list of specified organisations.
(b) S.I. 2005/2558.

SCHEDULE

Article 2

Specified Organisations

The Continuity Irish Republican Army

The Loyalist Volunteer Force

Óglaigh na hEireann

The organisation using the name “The Orange Volunteers” and in the name of which a statement described as a press release was published on 14 October 1998

The “Real” Irish Republican Army

The Red Hand Defenders

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 3 of the Northern Ireland (Sentences) Act 1998 (“the 1998 Act”) the Secretary of State must specify an organisation if he believes that it is concerned in terrorism connected with the affairs of Northern Ireland, or in promoting or encouraging it, and that it has not established or is not maintaining a complete and unequivocal ceasefire. The Secretary of State is obliged to review the list of specified organisations from time to time and to make a new order if he considers that the conditions recited in the preamble to this Order no longer apply to an organisation which is specified, or that those conditions apply to an organisation which is not specified.

Following such a review the Secretary of State has decided that Óglaigh na hEireann should be specified, that the Ulster Volunteer Force and the Red Hand Commando no longer need to be specified and that the Continuity IRA, the Loyalist Volunteer Force, the Orange Volunteers, the “Real” IRA and the Red Hand Defenders (which were specified by S.I. 2005/2558 which this Order revokes) should continue to be specified.

The effect of specifying an organisation is that a prisoner who is, or who would be likely to become, a supporter of such an organisation, is ineligible for release under the 1998 Act or, if released, is liable to recall to prison.

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