

SCHEDULES

SCHEDULE 3

Amendments relating to policing

Civil Contingencies Act 2004

108.—(1) Amend section 17 (regulations and orders) as follows.

(2) In subsection (1) after “made” insert “by a Minister of the Crown or the Scottish Ministers”.

(3) After subsection (1) insert—

“(1A) Any power of the Department of Justice in Northern Ireland under this Part to make regulations or an order is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(1).”

(4) After subsection (3) insert—

“(3A) An order under section 1(4), 5(1) or 13(1) may not be made by the Department of Justice in Northern Ireland unless a draft has been laid before and approved by resolution of the Northern Ireland Assembly.

(3B) Section 41(3) of the Interpretation Act (Northern Ireland) 1954(2) applies for the purposes of subsection (3A) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.”

(5) After subsection (5) insert—

“(5A) Regulations made by the Department of Justice in Northern Ireland under this Part are subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).”

Commencement Information

II Sch. 3 para. 108 in force at 12.4.2010, see [art. 1\(2\)](#)

(1) S.I. 1979/1573 (N.I. 12).

(2) 1954 c. 33 (N.I.). Section 41(3) was substituted by S.I. 1999/663.

Status:

Point in time view as at 12/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 108.