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## EXPLANATORY NOTE

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

These Regulations are the second set of commencement regulations made under the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (c. 41) (“the Act”).

Regulation 2 brings into force on 1st May 2024 a number of provisions of the Act. These allow the Independent Commission for Reconciliation and Information Recovery to begin exercising its functions from that date.

Regulation 3 makes transitional provision in relation to criminal investigations. Where, on 1st May 2024, all that remains to be done in relation to a criminal investigation is the writing of the investigation report, or something subsequent to that, such as liaising with the victim or family or publication of the report, the investigating body may proceed to carry out those tasks. This provision is time limited to 30th April 2025.

Regulation 4 makes transitional provision in relation to decisions not to prosecute which are taken before 1st May 2024, but overturned on or after that date. Where a decision not to prosecute a person for a Troubles-related offence is taken before 1st May 2024, a person requests that the prosecuting authority review the decision, and as a result of the review the decision is overturned on or after 1st May 2024, a prosecution may take place. This is provided the review is ongoing on 1st May 2024 or, if the person requests the review on or after that date, that the person does so within 28 days of the decision.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. An impact assessment has been published in relation to the Act and a copy can be obtained at [https://assets.publishing.service.gov.uk/media/62828d60d3bf7f1f40ca508e/EQIA\\_NI\\_Troubles\\_Legacy\\_and\\_Reconciliation\\_Bill.pdf](https://assets.publishing.service.gov.uk/media/62828d60d3bf7f1f40ca508e/EQIA_NI_Troubles_Legacy_and_Reconciliation_Bill.pdf) or from the Northern Ireland Office, 1 Horse Guards Road, London, SW1A 2HQ.