
STATUTORY INSTRUMENTS

1989 No. 1341 (N.I. 12)

NORTHERN IRELAND

**The Police and Criminal Evidence
(Northern Ireland) Order 1989**

*Made - - - - 2nd August 1989
Coming into operation in accordance with Article
1(2) and (3)*

**THE POLICE AND CRIMINAL EVIDENCE
(NORTHERN IRELAND) ORDER 1989**

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7. Reports of recorded searches and of road checks
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Status: This is the original version (as it was originally made).

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16. Meaning of “special procedure material”
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Status: This is the original version (as it was originally made).

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SCHEDULE 1 — SPECIAL PROCEDURE

Making of orders by county court judge

- 1. If on an application made by a constable a county...
- 2. The first set of access conditions is fulfilled if—
- 3. The second set of access conditions is fulfilled if—
- 4. An order under this paragraph is an order that the...
- 5. Where the material consists of information contained in a computer—...
- 6. For the purposes of Articles 23 and 24 material produced...

Notices of applications for orders

- 7. An application for an order under paragraph 4 shall be...
- 8. Where notice of an application for an order under paragraph...

Issue of warrants by county court judge

- 9. If on an application made by a constable a county...
- 10. A constable may seize and retain anything for which a...
- 11. The further conditions mentioned in paragraph 9(a)(ii) are—
- 12. (1) If a person fails to comply with an order...

Costs

- 13. The costs of any application under this Schedule and of...

SCHEDULE 2 — PRESERVED POWERS OF ARREST

SCHEDULE 3 — PROVISIONS SUPPLEMENTARY TO ARTICLE 68(4)

1. In any criminal proceedings where it is desired to give...
2. Notwithstanding paragraph 1, a court may require oral evidence to...
3. Any person who in a certificate tendered under paragraph 1...
4. In estimating the weight, if any, to be attached to...
5. For the purposes of paragraph 4 information shall be taken...
6. For the purpose of deciding whether or not a statement...
7. Provision may be made by the rules mentioned in paragraph...

SCHEDULE 4 — AMENDMENTS RELATING TO THE SERVICE OF SUMMONS,
ETC. BY POST

The Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (c. 28(N.I.))

1. (1) In section 1(8), at the beginning insert the words...

The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

2. After Article 25 insert the following Article— Proceedings invalid where...
3. In Article 126— (a) in paragraph (1) after the word...

SCHEDULE 5 — SERIOUS ARRESTABLE OFFENCES

PART I — OFFENCES MENTIONED IN ARTICLE 87(2)(a)

1. Treason.
2. Murder.
3. Manslaughter.
4. Rape.
5. Kidnapping.
6. Incest with a girl under the age of 14.
7. Buggery with— (a) a boy under the age of 16;...
8. Indecent assault which constitutes an act of gross indecency.

PART II — OFFENCES MENTIONED IN ARTICLE 87(2)(b)

Explosive Substances Act 1883 (c. 3)

1. Section 2 (causing explosion likely to endanger life or property)....

Criminal Law Amendment Act 1885 (c. 69)

2. Section 4 (unlawful carnal knowledge of a girl under the...

Road Traffic (Northern Ireland) Order 1981 (1981 NI 1)

3. Article 139(1) (causing death or grievous bodily injury by reckless...

Firearms (Northern Ireland) Order 1981 (1981 NI 2)

4. Article 17 (possession of firearm with intent to injure).
5. Article 18(1) (use of firearm or imitation firearm to resist...
6. Article 19 (carrying firearm or imitation firearm with criminal intent)....

Taking of Hostages Act 1982 (c. 28)

7. Section 1 (hostage-taking).

Status: This is the original version (as it was originally made).

Aviation Security Act 1982 (c. 36)

8. Section 1 (hijacking).

Criminal Justice Act 1988 (c. 33)

9. Section 134 (torture).

SCHEDULE 6 — MINOR AND CONSEQUENTIAL AMENDMENTS

The Railway Regulation Act 1840 (c. 97)

1. In section 16 (persons obstructing officers of railway company or...

The Summary Jurisdiction (Ireland) Act 1851 (c. 92)

2. In section 14, in paragraph 2 for the words from...

The Game Preservation Act (Northern Ireland) 1928 (c. 25 (N.I.))

3. In section 2(3), at the end add “or for the...

The Army Act 1955 (c. 18)The Air Force Act 1955 (c. 19)

4. For section 195(3) of each Act substitute—

The Criminal Law Act (Northern Ireland) 1967 (c. 18 (N.I.))

5. In section 4, after subsection (1) insert the following subsection—...

The Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))

6. (1) In section 27(2), for the words from “apprehend” to...

The Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))

7. In paragraph 2 of Schedule 1, for the words from...

The Immigration Act 1971 (c. 77)

8. In section 25(3) for the words “A constable or” substitute...

The Customs and Excise Management Act 1979 (c. 2)

9. In section 138(4), after paragraph (b) add the following— or...

The Domestic Proceedings (Northern Ireland) Order 1980 (NI 5)

10. In Article 19— (a) after paragraph (1) insert the following...

The Diseases of Animals (Northern Ireland) Order 1981 (NI 22)

11. In Article 42(4), for the words from “whether” to “or...

The Food and Environment Protection Act 1985 (c. 48)

12. In paragraph 7 of Schedule 2, in sub-paragraph (4) after...

The Wildlife (Northern Ireland) Order 1985 (NI 2)

13. In Article 25(2) (enforcement powers), after the words “paragraph (1)”...

The Betting, Gaming, Lotteries and Amusements(Northern Ireland) Order 1985 (NI 11)

14. In Article 5(2), for the words from the beginning to...

The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (NI 16)

15. In Article 8(6) for the words from “by section 1”...

The Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (NI 17)

16. (1) In Articles 3(1) and 4(1), in each place after...

The Criminal Evidence (Northern Ireland) Order 1988 (NI 20)

17. For paragraph (10) of Article 4 substitute the following—

The Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)

18. In section 15(7), for paragraph (b) substitute—

The Official Secrets Act 1989 (c. 6)

19. In section 11— (a) omit subsection (2); and

SCHEDULE 7 — REPEALS

PART I — PROVISIONS REPEALED IN CONSEQUENCE OF PARTS II TO VI

PART II — PROVISIONS REPEALED IN RELATION TO CRIMINAL PROCEEDINGS IN CONSEQUENCE OF PART IX

PART III — PROVISIONS REPEALED GENERALLY IN CONSEQUENCE OF PART IX

Explanatory Note