

2005 No. 109 (C. 9)

JUSTICE

**The Justice (Northern Ireland) Act 2002
(Commencement No. 8) Order 2005**

Made - - - - - *9th March 2005*

The Secretary of State, in exercise of the powers conferred upon him by section 87 of the Justice (Northern Ireland) Act 2002^(a), hereby makes the following Order:

- 1.** This Order may be cited as the Justice (Northern Ireland) Act 2002 (Commencement No. 8) Order 2005.
- 2.** The provisions of the Justice (Northern Ireland) Act 2002 specified in the Schedule to this Order shall come into force on 1st April 2005.

Northern Ireland Office
9th March 2005

Paul Murphy
One of Her Majesty's Principal Secretaries of State

SCHEDULE

PROVISIONS OF THE JUSTICE (NORTHERN IRELAND) ACT 2002 COMING INTO FORCE
ON 1st APRIL 2005

<i>Provision of the Act</i>	<i>Subject matter of the provision</i>
Section 9(12)	Lay magistrates: exercise of functions by Lord Chief Justice, Lord Justices of Appeal, judges of the High Court and county court judges
Section 10(1) to (5) and (7)	Transfer of functions of justices of the peace
Section 10(6) to the extent necessary to bring into force the provisions of Schedule 4 specified below	
Section 11	Transfer of functions of lay panellists
Section 86 to the extent necessary to bring into force the provisions of Schedule 13 specified below	Repeals and revocations
Schedule 4, paragraphs 1 to 13, 15 to 16, 17(1), (3) and (4), and 18 to 40	Functions of Justices of the Peace
Schedule 13 –	Repeals and revocations
the entry in respect of the Interpretation Act (Northern Ireland) 1954(a);	
the entry in respect of section 178(3) of and paragraphs 1, 2A, 3(2), 6 and 8(a) of Schedule 2 to the Children and Young Persons Act (Northern Ireland) 1968(b);	
the entry in respect of section 51(5) of the Judicature (Northern Ireland) Act 1978(c);	
the entry in respect of the Interpretation Act 1978(d);	
the entry in respect of Articles 18, 34, 152 and 158A(3) of and Schedule 1 to the Magistrates' Courts (Northern Ireland) Order 1981(e);	
the entry in respect of the Courts and Legal Services Act 1990(f);	
the entry in respect of the Food Safety (Northern Ireland) Order 1991(g);	
the entry in respect of the Juries (Northern Ireland) Order 1996(h);	
the entry in respect of the Access to Justice Act 1999(i);	
the entry in respect of the Criminal Evidence (Northern Ireland) Order 1999(j);	
the entry in respect of Schedule 1 to the Freedom of Information Act 2000(k), insofar as it relates to the Advisory	

- (a) 1954 c. 33 (N.I.)
(b) 1968 c. 34 (N.I.)
(c) 1978 c. 23
(d) 1978 c. 30
(e) S.I. 1981/1675 (N.I. 26)
(f) 1990 c. 41
(g) S.I. 1991/762 (N.I. 7)
(h) S.I. 1996/1141 (N.I. 6)
(i) 1999 c. 22
(j) S.I. 1999/2789 (N.I. 8)
(k) 2000 c. 36

Provision of the Act

Subject matter of the provision

Committee on Juvenile Court Lay Panel
(Northern Ireland);

the entry in respect of Schedule 6 to the
Justice (Northern Ireland) Act 2002, insofar as
it relates to members of panels formed under
Schedule 2 to the Children and Young Persons
Act (Northern Ireland) 1968.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into force on 1st April 2005 the provisions of the Justice (Northern Ireland) Act 2002 set out in the Schedule.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 9(1) to (3), (7) to (11) and (13) (lay magistrates)	1.9.2004	2004 No. 301 (C. 11)
Section 9(4), (5), (6) and (14) Section 17 (secretaries to the Lord Chief Justice) Section 18(1) to (9) (qualification for appointment) Section 19 (judicial oath or affirmation) Section 21 (judicial pensions: pension sharing)	15.10.2002	2002 No. 319 (C. 27)
Section 45 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C.19)
Section 46 (1) to (5) (functions of Chief Inspector)	18.12.2003	2003 No. 488 (C. 37)
Section 46(6) and (7)	15.10.2002	2002 No. 319 (C. 27)
Section 47 (further provisions about functions)	26.5.2003	2003 No. 265 (C. 19)
Section 48 (powers of inspectors) Section 49 (reports)	18.12.2003	2003 No. 488 (C. 37)
Section 53(1) to (5) (aims of youth justice system) Section 54 (reparation orders) Section 55 (community responsibility orders) Sections 57 to 62 (youth conferences and other provisions under Part 4 (youth justice))	1.12.2003	2003 No. 488 (C. 37)
Section 66 (display of Royal Arms at courts)	6.1.2003	2002 No. 405 (C. 33)
Section 68 to 70 (victims of crime)	26.5.2003	2003 No. 265 (C. 19)
Section 71 (community safety strategy)	18.12.2003	2003 No. 488 (C. 37)
Section 74 (appeals in small claims cases) Section 75 (time limit for cases stated by county court)	19.4.2004	2003 No. 416 (C. 31)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 77 (proceedings before coroner)	1.11.2003	2003 No. 416 (C. 31)
Sections 79 to 81 (court security)	15.10.2002	2002 No. 319 (C. 27)
Section 85(1) (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004 and 1.1.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C.37), 2004 No. 301 (C. 11) and 2004 No. 502 (C. 29)
Section 85(2)	1.12.2003	2003 No. 488 (C. 37)
Section 86 (partially) (repeals and revocations)	15.10.2002, 1.10.2003 and 1.12.2003	2002 No. 319 (C. 27), 2003 No. 416 (C. 31) and 2003 No. 488 (C.37)
Schedule 6 (office-holders required to take judicial oath)	15.10.2002	2002 No. 319 (C. 27)
Schedule 8 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C. 19)
Schedule 10 (youth justice orders: enforcement etc.)	1.12.2003	2003 No. 488 (C. 37)
Schedule 12 (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004 and 1.1.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C. 37), 2004 No. 301 (C. 11) and 2004 No. 502 (C. 29)
Schedule 13 (partially) (repeals and revocations)	15.10.2002, 1.10.2003 and 1.12.2003	2002 No. 319 (C. 27), 2003 No. 416 (C. 31) and 2003 No. 488 (C. 37)

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