

2016 No. 248 (C. 20)

JUSTICE

The Justice (2016 Act) (Commencement No. 1) Order (Northern Ireland) 2016

Made - - - - *22nd June 2016*

The Department of Justice, in exercise of the powers conferred by section 61(2) of the Justice Act (Northern Ireland) 2016(a), makes the following Order:

Citation

1.—(1) This Order may be cited as the Justice (2016 Act) (Commencement No. 1) Order (Northern Ireland) 2016.

(2) In this Order, “the 2016 Act” means the Justice Act (Northern Ireland) 2016.

Provisions coming into operation on 1st August 2016

2. The day appointed for the coming into operation of section 48 (penalties for animal welfare offences) of the 2016 Act is 1st August 2016.

Provisions coming into operation on 1st September 2016

3. The day appointed for the coming into operation of the following provisions of the 2016 Act is 1st September 2016 —

- (a) section 35(5) and (13) (complaints) for the purposes of making regulations;
- (b) section 36(7) (report of investigation of complaint) for the purposes of making regulations
- (c) section 38(7) (report on investigation into death) for the purposes of making regulations;
- (d) section 39(1)(a) (investigations requested by the Department) for the purposes of making regulations;
- (e) section 40(3) (report on investigation under section 39) for the purposes of making regulations;
- (f) section 42(6) (report on investigations under section 41) for the purposes of making regulations;

Provisions coming into operation on 3rd October 2016

4. The day appointed for the coming into operation of the following provisions of the 2016 Act is 3rd October 2016 —

- (a) section 2 (collection officers);
- (b) section 6(12) (powers of collection officer in relation to debtor in default) for the purposes of making regulations;
- (c) section 14(7) (application for deduction from benefits) for the purposes of making an order;
- (d) section 15 (deduction from benefits: further provision in regulations);
- (e) section 18(4) and (6) (attachment of earnings order) for the purposes of making regulations;
- (f) section 19(2) and (3) (statement of earnings) for the purposes of making regulations;
- (g) section 20(5) and (6) (interim bank account order) for the purposes of making regulations;
- (h) section 21(3) (hardship payments) for the purposes of making regulations;
- (i) section 22(4) and (7) (bank account order) for the purposes of making regulations;
- (j) section 23(1), (5)(e), (7) and (8) (vehicle seizure) for the purposes of making regulations;
- (k) section 26 (guidance); and
- (l) in Schedule 1 (attachment of earnings orders) —
 - (i) paragraph 4 (administrative costs of employers) for the purposes of making regulations;
 - (ii) paragraph 6(3)(a)(ii) (variation of order) for the purposes of making regulations;
 - (iii) paragraph 7(5) and (6) (discharge of order) for the purposes of making regulations;
and
 - (iv) paragraph 10 (regulations).

Sealed with the Official Seal of the Department of Justice on 22nd June 2016



Claire Sugden
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order brings into operation certain provisions of the Justice Act (Northern Ireland) 2016 (c.21 (N.I.)) (“the Act”).

The provisions of the Act set out in Article 2 come into operation on 1st August 2016.

The provisions in section 48 amend the Welfare of Animals Act (Northern Ireland) 2011 to increase the maximum penalties in respect of animal welfare offences for all indictable offences and certain summary offences; amend the mode of trial for certain offences; and extend the post-conviction powers available to courts.

The provisions of the Act set out in Article 3 come into operation on 1st September 2016.

The provisions being commenced in sections 35-36, 38-40 and 42 are enabling powers to allow supporting secondary legislation to be prepared that will facilitate the full coming into operation in due course of the Prison Ombudsman for Northern Ireland provisions in Part 2 and Schedule 3 of the Act.

The provisions of the Act set out in Article 4 come into operation on 3rd October 2016.

The provisions being commenced in sections 2, 6, 14-15, 18-23, 26 and Schedule 1 are powers to allow the Department to designate civil servants as collection officers and enabling powers to allow supporting secondary legislation and guidance material to be prepared that will facilitate the full coming into operation in due course of the new fine collection and enforcement arrangements in Part 1 and Schedules 1 and 2 of the Act.

© Crown copyright 2016

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.25

NI2016062414 07/2016 19585

<http://www.legislation.gov.uk/id/nisr/2016/248>

ISBN 978-0-33-800563-2



9 780338 005632