

Draft Order laid before Parliament under section 2(4) of the Northern Ireland Arms Decommissioning Act 1997, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

NORTHERN IRELAND

**The Northern Ireland Arms Decommissioning Act 1997
(Amnesty Period) Order 2009**

Made - - - - - 2009
Coming into force - - - 13th February 2009

A draft of this Order has been laid before Parliament in accordance with section 2(4) of the Northern Ireland Arms Decommissioning Act 1997(a) and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State, in exercise of the powers conferred by sections 2(2)(b) of the Northern Ireland Arms Decommissioning Act 1997(b), makes the following Order:

Citation and commencement

1. This Order may be cited as the Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2009 and shall come into force on 13th February 2009.

Appointed day

2. The day appointed for the purposes of section 2(2)(b) of the Northern Ireland Arms Decommissioning Act 1997 is 9th February 2010; being not more than twelve months after the day on which this Order is made or later than 27th February 2010.

Revocation

3. The Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2008(c) is revoked.

Northern Ireland Office
Date

One of Her Majesty's Principal Secretaries of State

(a) 1997 (c.7).
(b) 1997 (c.7). The power in section 2 (2) (b) to appoint a date for the end of the amnesty period is restricted by section 2(3) of the Act. Section 2(2)(a) and section 2(3)(b) were amended by section 1 of the Northern Ireland Arms Decommissioning (Amendment) Act 2002 (c.6). Section 2(3)(b) was further amended by section 21 of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33).
(c) S.I.2008/378.

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 2(1) of the Northern Ireland Arms Decommissioning Act 1997 (“the 1997 Act”) a decommissioning scheme must identify a period during which firearms, ammunition and explosives may be dealt with in accordance with the scheme (“the amnesty period”). Under section 2(2) of the 1997 Act the amnesty period must end before 27th February 2003 or such later day as the Secretary of State appoints by order. Section 2(3) of the 1997 Act, which restricts the power in section 2(2)(b) to appoint a day by order, was amended by the Northern Ireland Arms Decommissioning (Amendment) Act 2002 and further amended by the Northern Ireland (Miscellaneous Provisions) Act 2006 so that the day appointed by order under section 2(2)(b) may be no more than twelve months after the date on which the order is made and in any event no later than 27th February 2010.

The Northern Ireland Arms Decommissioning Act 1997 (Amnesty Period) Order 2008 (S.I. 2008/378) appointed 14th February 2009 as the day before which the amnesty period identified in a decommissioning scheme must end. This Order appoints 9th February 2010 as the day before which the amnesty period identified in a decommissioning scheme must end.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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