

Draft Order laid before Parliament under section 9(7)(b) of the Justice and Security (Northern Ireland) Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2019 No. XXX

CRIMINAL LAW, NORTHERN IRELAND

JUDICATURE, NORTHERN IRELAND

JUSTICE, NORTHERN IRELAND

**The Justice and Security (Northern Ireland) Act 2007 (Extension
of duration of non-jury trial provisions) Order 2019**

Made - - - -

Coming into force in accordance with article 1

The Secretary of State, in exercise of the power conferred by section 9(2) of the Justice and Security (Northern Ireland) Act 2007(a), makes the following Order.

In accordance with section 9(7)(b) of that Act, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1.—(1) This Order may be cited as the Justice and Security (Northern Ireland) Act 2007 (Extension of duration of non-jury trial provisions) Order 2019.

(2) It comes into force on the day after the day on which it is made.

Extension of duration of non-jury trial provisions

2. The effective period in respect of the non-jury trial provisions, as provided for in section 9(1) of the Justice and Security (Northern Ireland) Act 2007, is further extended(b).

(a) 2007 c. 6.

(b) Section 9(3)(b) of the Justice and Security (Northern Ireland) Act 2007 provides that the effect of an order under subsection (2) is to extend or further extend the effective period for the period of two years beginning with the time when it would otherwise have ended. S.I. 2009/2090 extended the effective period for a period of 2 years and S.I. 2011/1720, 2013/1619, 2015/1572 and 2017/798 each further extended the effective period for a period of 2 years. The current effective period expires on 31st July 2019.

Date

Name
Secretary of State
Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Order)

Section 9(1) of the Justice and Security (Northern Ireland) Act 2007 (c. 6) provides that sections 1 to 8 of, and Schedule 1 to, that Act, which provide for trial on indictment without a jury (“the non-jury trial provisions”), expire at the end of the period of two years beginning with the day on which section 1 comes into force (“the effective period”). Section 1 came into force on 1st August 2007. Section 9(2) provides for the Secretary of State by order to extend or, on one or more occasions, further extend the effective period. Section 9(3)(b) provides that the effect of an order extending or further extending the effective period is to extend or further extend it for the period of two years beginning with the time when the effective period would end but for the order.

The initial effective period ran until 31st July 2009. The effective period was extended by S.I. 2009/2090 so as to end on 31st July 2011. The effective period was further extended by S.I. 2011/1720 so as to end on 31st July 2013, by S.I. 2013/1619 so as to end on 31st July 2015, by S.I. 2015/1572 so as to end on 31st July 2017, and by S.I. 2017/798 so as to end on 31st July 2019.

Article 2 of this Order further extends the effective period. The effect of this Order is that the non-jury trial provisions will expire on 31st July 2021.

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

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£4.90

UK201904261007 05/2019 19585

<http://www.legislation.gov.uk/id/ukdsi/2019/9780111186589>

ISBN 978-0-11-118658-9



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