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Changes to legislation: Police (Northern Ireland) Act 1998, SCHEDULE 4 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 74.

AMENDMENTS

Extent Information

E1 For the extent of amendments in Sch. 4 see [s. 76\(1\)\(3\)](#).

The Incitement to Disaffection Act 1934 (c. 56)

- 1 In section 2(4) of the Incitement to Disaffection Act 1934 for “the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.

The Police (Overseas Service) Act 1945 (c. 17)

- 2 The Police (Overseas Service) Act 1945 shall extend to Northern Ireland and section 3(4) of that Act shall accordingly cease to have effect.

The Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))

- ^{F13}

Textual Amendments

F1 [Sch. 4 para. 3](#) repealed (4.11.2001) by [2000 c. 32, s. 78\(4\)](#), [Sch. 8](#); [S.R. 2001/396, art. 2](#), [Sch.](#)

The Police (Scotland) Act 1967 (c. 77)

- 4 (1) The Police (Scotland) Act 1967 shall be amended as follows.
- (2) In section 38A(1) after paragraph (c) there shall be inserted—
- “(ca) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;”.
- (3) In section 38A(6)(c) after “paragraph” insert “ (ca) or ”.
- (4) In section 38A(7)(b) after “by or on behalf of” there shall be inserted “ the Police Ombudsman for Northern Ireland or (as the case may be) ”.

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Commencement Information

I1 Sch. 4 para. 4 in force at 21.2.2003 by S.R. 2003/142, art. 3

The Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.))

- 5 In section 93(3) of the Local Government Act (Northern Ireland) 1972 for “section 7 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968” there shall be substituted “ section 66 of the Police (Northern Ireland) Act 1998 ”.

The Superannuation (Northern Ireland) Order 1972 (NI 10)

- 6 In Article 15 of the Superannuation (Northern Ireland) Order 1972 for paragraphs (c), (d) and (e) there shall be substituted—
 “(c) regulations relating to pensions under section 25 or 26 of the Police (Northern Ireland) Act 1998”.

The Overseas Pensions Act 1973 (c. 21)

- 7 In section 2(2)(d) of the Overseas Pensions Act 1973 after sub-paragraph (ii) there shall be inserted “or
 (iii) a member of the Royal Ulster Constabulary engaged on relevant service within the meaning of section 27(1)(d), (g) or (h) of the Police (Northern Ireland) Act 1998,”.

The House of Commons Disqualification Act 1975 (c. 24)

- 8 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 the following entry shall be inserted at the appropriate place in alphabetical order—
 “The Police Ombudsman for Northern Ireland.”.

Commencement Information

I2 Sch. 4 para. 8 in force at 21.2.2003 by S.R. 2003/142, art. 3

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 9 In Part III of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 the following entry shall be inserted at the appropriate place in alphabetical order—
 “The Police Ombudsman for Northern Ireland.”.

Commencement Information

I3 Sch. 4 para. 9 in force at 21.2.2003 by S.R. 2003/142, art. 3

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PROSPECTIVE

The Fair Employment (Northern Ireland) Act 1976 (c. 25)

F²10

Textual Amendments

F2 Sch. 4 para. 10 repealed (1.3.1999) by S.I. 1998/3162 (N.I. 21), art. 105(4), Sch. 5; S.R. 1999/81, art. 3

The Animals (Northern Ireland) Order 1976 (NI 13)

11 In Article 10(9) of the Animals (Northern Ireland) Order 1976 for the words from “has the same meaning” to the end there shall be substituted “ means a member of the Royal Ulster Constabulary holding the rank of inspector or a higher rank ”.

The Sex Discrimination (Northern Ireland) Order 1976 (NI 15)

F³12

Textual Amendments

F3 Sch. 4 para. 12 repealed (4.11.2001) by 2000 c. 32, s. 78(4), Sch. 8; S.R. 2001/396, art. 2, Sch.

The Criminal Damage (Northern Ireland) Order 1977 (NI 4)

13 In Article 8(3) of the Criminal Damage (Northern Ireland) Order 1977 for “The Police (Property) Act 1897” there shall be substituted “ Section 31 of the Police (Northern Ireland) Act 1998 ” and for “that Act” there shall be substituted “ that section ”.

The Customs and Excise Act 1979 (c. 2)

14 In section 139(4)(c) of the Customs and Excise Act 1979 for “the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.

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

F⁴15

Textual Amendments

F4 Sch. 4 para. 15 repealed (1.2.2005) by The Firearms (Northern Ireland) Order 2004 (S.I. 2004/702), art. 1(3), Sch. 8 (with art. 81); S.R. 2005/4, art. 3 (with arts. 4-7)

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The Ministry of Defence Police Act 1987 (c. 4)

- 16 In section 1(2)(c) of the Ministry of Defence Police Act 1987 for “taking and subscribing the oath” there shall be substituted “ making the declaration ”.

The Official Secrets Act 1989 (c. 6)

- 17

Modifications etc. (not altering text)

C1 Sch. 4 para. 17 repealed (4.11.2001) by 2000 c. 32, s. 78(4), Sch. 8; S.R. 2001/396, art. 2, Sch.

The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

- 18 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as follows.

^{F5}(2)

- (3) In Article 24(5) for “section 1 of the Police (Property) Act 1897” there shall be substituted “ section 31 of the Police (Northern Ireland) Act 1998 ”.

^{F5}(4)

^{F5}(5)

^{F6}(6)

Textual Amendments

F5 Sch. 4 para. 18(2)(4)(5) repealed (4.11.2001) by 2000 c. 32, s. 78(4), Sch. 8; S.R. 2001/396, art. 2, Sch.

F6 Sch. 4 para. 18(6) repealed (8.6.2008) by The Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216), art. 1(3), Sch. 6 Pt. 2

Commencement Information

I4 Sch. 4 para. 18 wholly in force at 1.4.1999; Sch. 4 para. 18 not in force at Royal Assent see s. 75(1); Sch. 4 para. 18(2)-(4) in force at 8.10.1998 by S.R. 1998/346; Sch. 4 para. 18(5) in force at 9.2.1999 by S.R. 1999/48, art. 3 (with art. 4); Sch. 4 para. 18 in force at 1.4.1999 insofar as not already in force by S.R. 1999/176, art. 3 (with art. 4)

The Criminal Justice (Northern Ireland) Order 1994 (NI 15)

- 19 In Article 12(3) of the Criminal Justice (Northern Ireland) Order 1994 for sub-paragraphs (a) and (b) there shall be substituted—

“(a) before the end of the period of 6 months beginning on the date on which the order under Article 11 was made; or

(b) if a successful application under section 31(1) of the Police (Northern Ireland) Act 1998 has been made.”.

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The Police Act 1996 (c. 16)

- 20 (1) The Police Act 1996 shall be amended as follows.
- (2) In section 63(1A)(a) for “section 21 of the Police Act (Northern Ireland) 1970” there shall be substituted “ section 27 of the Police (Northern Ireland) Act 1998 ”.
- (3) In section 97(1) after paragraph (e) there shall be inserted—
“(ea) temporary service with the Police Ombudsman for Northern Ireland on which a person is engaged in accordance with arrangements made under paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 1998;”.
- (4) In section 97(6)(c) after “paragraph” insert “ (ea) or ”.
- (5) In section 97(7)(b) after “by or on behalf of” there shall be inserted “ the Police Ombudsman for Northern Ireland or (as the case may be) ”.
- ^{F7}(6)

Textual Amendments

F7 Sch. 4 para. 20(6) repealed (4.11.2001) by 2000 c. 32, s. 78(4), **Sch. 8**; S.R. 2001/396, art. 2, **Sch.**

Commencement Information

- I5** Sch. 4 para. 20 partly in force; Sch. 4 para. 20 not in force at Royal Assent see s. 75(1); it is provided by S.R. 1999/48, **art. 3** that Sch. 4 para. 20(2)(3)(4)(5) and (9) shall come into operation on 9.2.1999 and it is provided by S.R. 1999/176, **art. 3** that Sch. 4 para. 20 except sub-paras. (3)-(5) shall come into operation on 1.4.1999
- I6** Sch. 4 para. 20(3)-(5) in force at 21.2.2003 by S.R. 2003/142, **art. 3**

The Juries (Northern Ireland) Order 1996 (NI 6)

- 21 In Schedule 2 to the Juries (Northern Ireland) Order 1996 for the entry “Members and staff of the Independent Commission for Police Complaints for Northern Ireland” there shall be substituted—
“The Police Ombudsman for Northern Ireland and persons employed by him.”.

Commencement Information

I7 Sch. 4 para. 21 in force at 21.2.2003 by S.R. 2003/142, **art. 3**

The Police Act 1997 (c. 50)

- ^{F8}22

Textual Amendments

F8 Sch. 4 para. 22 repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 4(1), Sch. para. 13(ff)

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The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)

23 In Article 44(1) of the Road Traffic Regulation (Northern Ireland) Order 1997 for “persons appointed or deemed to have been appointed for the purpose” there shall be substituted “ traffic wardens appointed ”.

The Race Relations (Northern Ireland) Order 1997 (NI 6)

F⁹24

Textual Amendments

F9 Sch. 4 para. 24 repealed (4.11.2001) by 2000 c. 32, s. 78(4), **Sch. 8**; S.R. 2001/396, art. 2, **Sch.**

The Police (Health and Safety)(Northern Ireland) Order 1997 (NI 16)

F¹⁰25

Textual Amendments

F10 Sch. 4 para. 25 repealed (4.11.2001) by 2000 c. 32, s. 78(4), **Sch. 8**; S.R. 2001/396, art. 2, **Sch.**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 50A inserted by [2023 c. 41 s. 45\(1\)](#)
- s. 60ZD inserted by [2023 c. 41 Sch. 13 para. 3](#)
- s. 66(3A) modified by 2003 c. 6 s. 30(11) (as added) by [S.I. 2007/912 \(N.I.\) Sch. 4 para. 4](#)