

Changes to legislation: Criminal Justice Act 2003, Cross Heading: Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16)) is up to date with all changes known to be in force on or before 08 May 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 36

FURTHER MINOR AND CONSEQUENTIAL AMENDMENTS

PART 4

TRIALS ON INDICTMENT WITHOUT A JURY

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))

56 The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 is amended as follows.

Commencement Information

II Sch. 36 Pt. 4 wholly in force at 8.1.2007; Sch. 36 Pt. 4 not in force at Royal Assent, see s. 336(3); Sch. 36 Pt. 4 in force for E.W. at 24.7.2006 by [S.I. 2006/1835](#), [art. 2](#) (subject to [art. 3](#)); Sch. 36 Pt. 4 in force in so far as not already in force at 8.1.2007 by [S.I. 2006/3422](#), [art. 2](#)

- 57 (1) Article 6 (power to order preparatory hearing) is amended as follows.
- (2) In paragraph (1) for “the jury are sworn” there is substituted “ the time when the jury are sworn ”.
- (3) After paragraph (2) there is inserted—
- “(2A) The reference in paragraph (1) to the time when the jury are sworn includes the time when the jury would be sworn but for—
- (a) the making of an order under Part 7 of the Criminal Justice Act 2003,
or
- (b) the application of section 75 of the Terrorism Act 2000.”

Commencement Information

I2 Sch. 36 Pt. 4 wholly in force at 8.1.2007; Sch. 36 Pt. 4 not in force at Royal Assent, see s. 336(3); Sch. 36 Pt. 4 in force for E.W. at 24.7.2006 by [S.I. 2006/1835](#), [art. 2](#) (subject to [art. 3](#)); Sch. 36 Pt. 4 in force in so far as not already in force at 8.1.2007 by [S.I. 2006/3422](#), [art. 2](#)

- 58 (1) Article 8 (the preparatory hearing) is amended as follows.
- (2) In paragraph (4)(b) for “the jury” there is substituted “ a jury ”.
- (3) In paragraph (12) for “no jury shall be sworn” there is substituted “ the preparatory hearing shall not be concluded ”.

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- 59 (1) Article 9 (later stages of trial) (as originally enacted) is amended as follows.
- (2) In paragraph (1) after “jury” there is inserted “ or, in the case of a trial without a jury, the judge ”.
- (3) In paragraph (2) for “deciding whether to give leave” there is substituted “ doing anything under paragraph (1) or in deciding whether to do anything under it ”.
- (4) In paragraph (3) for “Except as provided by this Article” there is substituted “ Except as provided by this Article, in the case of a trial with a jury ”.

Commencement Information

I4 Sch. 36 Pt. 4 wholly in force at 8.1.2007; Sch. 36 Pt. 4 not in force at Royal Assent, see s. 336(3); Sch. 36 Pt. 4 in force for E.W. at 24.7.2006 by [S.I. 2006/1835](#), [art. 2](#) (subject to [art. 3](#)); Sch. 36 Pt. 4 in force in so far as not already in force at 8.1.2007 by [S.I. 2006/3422](#), [art. 2](#)

- 60 (1) Article 9 (later stages of trial) (as substituted by paragraph 6 of Schedule 3 to the Criminal Procedure and Investigations Act 1996 (c. 25)) is amended as follows.
- (2) In paragraph (2) after “jury” there is inserted “ or, in the case of a trial without a jury, the judge ”.
- (3) In paragraph (3) for “deciding whether to give leave” there is substituted “ doing anything under paragraph (2) or in deciding whether to do anything under it ”.
- (4) In paragraph (4) for “Except as provided by this Article” there is substituted “ Except as provided by this Article, in the case of a trial with a jury ”.

Commencement Information

I5 Sch. 36 Pt. 4 wholly in force at 8.1.2007; Sch. 36 Pt. 4 not in force at Royal Assent, see s. 336(3); Sch. 36 Pt. 4 in force for E.W. at 24.7.2006 by [S.I. 2006/1835](#), [art. 2](#) (subject to [art. 3](#)); Sch. 36 Pt. 4 in force in so far as not already in force at 8.1.2007 by [S.I. 2006/3422](#), [art. 2](#)

Changes to legislation:

Criminal Justice Act 2003, Cross Heading: Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16)) is up to date with all changes known to be in force on or before 08 May 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

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. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of [2013 c. 22, Sch. 16 para. 23\(2\)](#); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of [2013 c. 22, Sch. 16 para. 23\(2\)](#); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by [2008 c. 4, s. 11\(5\)](#))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by [2008 c. 4, s. 11\(5\)](#))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of [2012 c. 10, s. 118\(4\)\(b\)](#); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)