



# Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

## 2023 CHAPTER 41

### PART 2

#### THE INDEPENDENT COMMISSION FOR RECONCILIATION AND INFORMATION RECOVERY

##### *Admissibility of information provided to the ICRIR*

PROSPECTIVE

#### **8 Admissibility of material in civil proceedings**

- (1) No protected material, or evidence relating to protected material, is admissible in any—
- (a) civil proceedings,
  - (b) proceedings before a coroner, or
  - (c) inquiry under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2).
- (2) This section does not apply to proceedings which relate to—
- (a) the exercise by the ICRIR of any function,
  - (b) any other conduct of the ICRIR,
  - (c) the conduct of any current or former Commissioner, ICRIR officer or ICRIR contractor,
  - (d) a person being appointed, or holding office, as a Commissioner,
  - (e) a person being employed or seconded as, or being, an ICRIR officer, or
  - (f) judicial review proceedings or, in Scotland, proceedings on an application to the supervisory jurisdiction of the Court of Session, which relate to the exercise of functions by, or other conduct of, a person other than the ICRIR.

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 8. (See end of Document for details)*

- (3) This section applies in relation to material, and evidence or questions relating to material—
- (a) whether the material is in the form in which it was provided or obtained, or in some other form;
  - (b) whether the material (in whatever form) is in the possession of the ICRIR or another person (whether obtained directly or indirectly from the ICRIR).
- (4) This section does not apply to any protected material which has been obtained by the ICRIR from a relevant authority under section 5.
- (5) In this section—
- “civil proceedings” does not include—
    - (a) family proceedings within the meaning of Article 12 of the Family Law (Northern Ireland) Order 1993 (S.I. 1993/1576 (N.I. 6));
    - (b) family proceedings within the meaning of section 75(3) of the Courts Act 2003;
    - (c) family proceedings within the meaning of section 135 of the Courts Reform (Scotland) Act 2014 (asp 18) or proceedings under the Children (Scotland) Act 1995 or the Children’s Hearings (Scotland) Act 2011 (asp 1);
- “protected material” means material provided to, or obtained by, the ICRIR for the purposes of, or in connection with, the exercise of any of its functions.

#### Commencement Information

**II** S. 8 not in force at Royal Assent, see s. 63(4)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Section 8.