

2021 No. 146 (C. 2)

CRIMINAL LAW, NORTHERN IRELAND

**The Crime (Overseas Production Orders) Act 2019
(Commencement No.2) (Northern Ireland) Regulations 2021**

Made - - - -

11th February 2021

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 20(1) and (2) of the Crime (Overseas Production Orders) Act 2019(a).

Citation, extent and interpretation

1. These Regulations may be cited as the Crime (Overseas Production Orders) Act 2019 (Commencement No.2) (Northern Ireland) Regulations 2021.
2. These Regulations extend to England and Wales, Scotland and Northern Ireland.
3. In these Regulations the “2019 Act” means the Crime (Overseas Production Orders) Act 2019.

Commencement

4. The following provisions of the 2019 Act are brought into force in Northern Ireland for all remaining purposes on 22nd February 2021 –
 - (a) section 1(1) to (4) and (7) (making of overseas production order on application);
 - (b) section 2 (appropriate officers);
 - (c) section 3 (meaning of “electronic data” and “excepted electronic data”);
 - (d) section 4 (requirements for making of order);
 - (e) section 5 (contents of order);
 - (f) section 6 (effect of order);
 - (g) section 7 (variation or revocation of order);
 - (h) section 8 (inclusion of non-disclosure requirement in order);
 - (i) section 9 (restrictions on service of order);
 - (j) section 10 (retention of electronic data and use as evidence);
 - (k) section 11 (procedural matters);
 - (l) section 12 (notice of application for order: journalistic data);
 - (m) section 13 (effect of notice of application);
 - (n) section 14 (means of service).

11th February 2021

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the second commencement regulations made under the Crime (Overseas Production Orders) Act 2019 (c. 5) (“the 2019 Act”).

Section 1(5) and (6) as well as sections 15 and 16 of the 2019 Act came into force in Northern Ireland on 9th October 2019 by virtue of the Crime (Overseas Production Orders) Act 2019 (Commencement No.1) Regulations 2019 (“the 2019 Regulations”). The 2019 Regulations also brought the sections listed under regulation 4 of these Regulations into force in relation to England and Wales and Scotland. In relation to Northern Ireland, these sections were brought into force by the 2019 Regulations only for the purposes of excepted matters, specifically: to the extent that they applied, by virtue of section 15(2) of the 2019 Act, in relation to an application under section 15(1) of that Act and an overseas production order made under that section; and for the purpose of making rules of court under section 11(1) of the 2019 Act which makes provision as to the practice and procedure to be followed in connection with proceedings relating to an overseas production order made under section 15(1) of the 2019 Act. These Regulations bring the sections listed in regulation 4 into force for all remaining purposes in relation to Northern Ireland.

Upon commencement of these Regulations the 2019 Act shall be fully in force across the whole of the United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Crime (Overseas Production Orders) Act 2019 (c. 5) have been brought into force to their fullest extent (unless indicated otherwise) by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1) to (4) and (7) (partially in relation to NI)	09.10.19	2019/1318
Section 1(5) and (6)	09.10.19	2019/1318
Section 2 (partially in relation to NI)	09.10.19	2019/1318
Section 3 (partially in relation to NI)	09.10.19	2019/1318
Section 4 (partially in relation to NI)	09.10.19	2019/1318
Section 5 (partially in relation to NI)	09.10.19	2019/1318
Section 6 (partially in relation to NI)	09.10.19	2019/1318
Section 7 (partially in relation to NI)	09.10.19	2019/1318
Section 8 (partially in relation to NI)	09.10.19	2019/1318
Section 9 (partially in relation to NI)	09.10.19	2019/1318
Section 10 (partially in relation to NI)	09.10.19	2019/1318
Section 11 (partially in relation to NI)	09.10.19	2019/1318
Section 12 (partially in relation to NI)	09.10.19	2019/1318
Section 13 (partially in relation to NI)	09.10.19	2019/1318
Section 14 (partially in relation to NI)	09.10.19	2019/1318
Section 15	09.10.19	2019/1318
Section 16	09.10.19	2019/1318

© Crown copyright 2021

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.90

UK202102111020 02/2021 19585

<http://www.legislation.gov.uk/id/uksi/2021/146>

ISBN 978-0-34-822009-4



9 780348 220094