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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 199 (C. 12)**

**ACCESS TO JUSTICE**

**The Access to Justice (2003 Order) (Commencement  
No. 9) Order (Northern Ireland) 2016**

*Made* - - - - - *23rd March 2016*

*Coming into operation* *24th March 2016*

The Department of Justice makes the following Order in exercise of the powers conferred by Articles 1(2) and 48(1) of the Access to Justice (Northern Ireland) Order 2003<sup>(1)</sup>, and now vested in it<sup>(2)</sup>.

**Citation and interpretation**

**1.** This Order may be cited as the Access to Justice (2003 Order) (Commencement No. 9) Order (Northern Ireland) 2016.

**Commencement of provisions in the Access to Justice (Northern Ireland) Order 2003**

**2.—(1)** Subject to paragraph (2), the provisions in the Access to Justice (Northern Ireland) Order 2003 specified in the Schedule to this Order shall come into operation on 24th March 2016.

(2) The commencement of the provisions specified in the Schedule has effect only in respect of the grant by the Court of Appeal of a right to representation for the proceedings specified in Schedule 2 to the Access to Justice (2003 Order) (Commencement No. 8) Order (Northern Ireland) 2015<sup>(3)</sup>.

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<sup>(1)</sup> S.I. 2003/435 (N.I. 10)

<sup>(2)</sup> S.I. 2010/976

<sup>(3)</sup> S.R. 2015 No. 237 (C. 17)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Justice on 23rd March 2016



*David Ford*  
Minister of Justice

## SCHEDULE

Article 2(1)

PROVISIONS OF THE ACCESS TO JUSTICE (NORTHERN IRELAND)  
ORDER 2003 COMING INTO OPERATION ON 24th MARCH 2016

<b>Provisions of the Access to Justice (Northern Ireland) Order 2003</b>	<b>Subject matter of provision</b>
Article 23(1)(b)(ii) and (iii) and (3)	Advice and assistance
Article 26(2), (3) and (5)	Grant of right to representation by court
Schedule 5, the entries in respect of—	Repeals – Extent of repeal
 The Criminal Appeal (Northern Ireland) Act 1980	 In section 7(4), the words “legal aid for”. In section 28(2), paragraph (a) and the words “in the case of expenses within paragraph (a), by the Lord Chancellor and, in any other case”.  Section 28(2A) to (2G).  Section 45(2)(e) and (3)(c).

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

The Access to Justice (2003 Order) (Commencement No. 8) Order (Northern Ireland) 2015 brought into operation certain provisions of the Access to Justice (Northern Ireland) Order 2003 regarding criminal defence services. This Order brings into operation on 24th March 2016 certain further provisions regarding such services.

The provisions are commenced only in respect of appeals, including applications for leave to appeal, brought under Part 1 (appeal to the Court of Appeal from the Crown Court) and Part 2 (appeal to the Supreme Court from the Court of Appeal) of the Criminal Appeal (Northern Ireland) Act 1980, and the other proceedings specified in Schedule 2 to the Commencement No. 8 Order. There are also consequential repeals of the remaining legal aid provisions in the 1980 Act.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

<b>Provision of the Access to Justice (Northern Ireland) Order</b>	<b>Date of Commencement</b>	<b>Statutory Rule Number</b>
Article 3(1) and (4) partially	28th July 2003	<a href="#">S.R. 2003 No. 344</a>
Article 4	28th July 2003	

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<b>Provision of the Access to Justice (Northern Ireland) Order</b>	<b>Date of Commencement</b>	<b>Statutory Rule Number</b>
Article 48(2) and (3) partially	28th July 2003	
Schedule 1, paragraphs 1 to 11, 13 and 14	28th July 2003	
Schedule 3, paragraphs 8 to 11	28th July 2003	
Article 3(1), (2), (3) and (4)	1st November 2003	
Article 7(1) to (5)	1st November 2003	
Article 8	1st November 2003	
Article 46(1) and (3)	1st November 2003	(As amended by <a href="#">S.R. 2003 No. 439</a> )
Article 48(2) and (3)	1st November 2003	
Schedule 49(1) and (2) partially	1st November 2003	
Schedule 1, paragraphs 12(1)(b) and (2) and paragraphs 15 to 18	1st November 2003	
Schedule 3, paragraphs 1 to 7, 12 and 13	1st November 2003	
Schedule 4, paragraphs 10(a) and 17	1st November 2003	
Schedule 5 partially	1st November 2003	
Article 12(8) to (11)	2nd November 2003	<a href="#">S.R. 2003 No. 440</a>
Article 49(1) and (2) partially	2nd November 2003	
Schedule 4, paragraphs 6(1) and (2)	2nd November 2003	
Schedule 5 partially	2nd November 2003	
Schedule 4, paragraphs 6(3)	9th March 2005 and 29th August 2009	<a href="#">S.R. 2005 No. 111</a> , as amended by <a href="#">S.R. 2009 No. 312</a>
Article 46(2)	9th November 2005	<a href="#">S.R. 2005 No. 503</a>
Schedule 4, paragraph 15	20th March 2006	<a href="#">S.R. 2006 No. 27</a>
Schedule 5 partially	20th March 2006	
Article 6	1st April 2015	<a href="#">S.R. 2015 No. 194</a>
Article 7(6) and (7)	1st April 2015	
Article 9	1st April 2015	
Articles 10 to 20A	1st April 2015	
Articles 32 to 36	1st April 2015	
Article 47	1st April 2015	
Schedule 2	1st April 2015	
Schedule 4 partially	1st April 2015	
Schedule 5 partially	1st April 2015	
Article 21(1)(b) and (2)	1st May 2015	<a href="#">S.R. 2015 No. 237</a>

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<b>Provision of the Access to Justice (Northern Ireland) Order</b>	<b>Date of Commencement</b>	<b>Statutory Rule Number</b>
Article 24(1) and (3) to (5)	1st May 2015	
Article 25(1)(a) and (b), (2)(b)(i) and (e) and (f)	1st May 2015	
Article 26(1) and (8)	1st May 2015	
Article 29	1st May 2015	
Article 30(1)	1st May 2015	
Schedule 5 partially	1st May 2015	