



# Justice (Northern Ireland) Act 2002

## 2002 CHAPTER 26

### PART 2

#### LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

##### *Public Prosecution Service*

#### **30 Director of Public Prosecutions**

- (1) The Attorney General for Northern Ireland must—
  - (a) appoint a person to be Director of Public Prosecutions for Northern Ireland, and
  - (b) appoint a person to be Deputy Director of Public Prosecutions for Northern Ireland.
- (2) A person is not qualified for appointment as Director unless he is—
  - (a) a member of the Bar of Northern Ireland of at least ten years' standing, or
  - (b) a solicitor of the Supreme Court of at least ten years' standing.
- (3) A person is not qualified for appointment as Deputy Director unless he is—
  - (a) a member of the Bar of Northern Ireland of at least seven years' standing, or
  - (b) a solicitor of the Supreme Court of at least seven years' standing.
- (4) The Deputy Director has all the powers of the Director but must exercise them subject to his direction and control.
- (5) A person appointed as Director or Deputy Director holds office until the end of the year of service in which he attains the age of 65 or such later time as the Attorney General for Northern Ireland may specify.
- (6) But the Director and Deputy Director—
  - (a) may resign by notice in writing to the Attorney General for Northern Ireland, and
  - (b) may be removed from office in accordance with section 40(3) or 43.

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*Status: This is the original version (as it was originally enacted).*

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- (7) If the office of Director is vacant or the Director is not available to exercise his functions, the Deputy Director has all the functions of the Director.
- (8) If the office of Deputy Director becomes vacant, the Attorney General for Northern Ireland may appoint a member of staff of the Service to act as Deputy Director, on such terms as to tenure as the Attorney General for Northern Ireland determines, pending a new appointment.
- (9) The Secretary of State must pay to or in respect of the Director, the Deputy Director and any person appointed to act as Deputy Director any such—
  - (a) salary,
  - (b) allowances, or
  - (c) sums for the provision of pensions,as the Secretary of State may determine.
- (10) The Director is not required to give security with respect to any proceedings; and no order may be made by any court requiring security to be given to the Director with respect to any proceedings.
- (11) The Director (and the Deputy Director and members of staff of the Service) may not be required in any proceedings of the Assembly to answer any question or produce any document relating to a matter other than the finances and administration of the Service.