

Status: Point in time view as at 03/04/2006.

Changes to legislation: Constitutional Reform Act 2005, Cross Heading: Northern Ireland Act 1998 (c. 47) is up to date with all changes known to be in force on or before 30 June 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)

SCHEDULES

SCHEDULE 5

FUNCTIONS UNDER LEGISLATION RELATING TO NORTHERN IRELAND

PART 1

AMENDMENTS

Northern Ireland Act 1998 (c. 47)

- 104 The Northern Ireland Act 1998 is amended as follows.
- 105 In section 90 (effect of certificates), in subsection (2) for “made by the Lord Chancellor” substitute “made under section 91”.
- 106 (1) Section 91 (the National Security Certificates Tribunal) is amended as follows.
- (2) In subsection (2), after “Lord Chancellor may” insert “, after consultation with the Lord Chief Justice of Northern Ireland,”.
- (3) After subsection (2) insert—
- “(2A) The Lord Chief Justice may nominate any of the following to exercise his functions under subsection (2)—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).”
- 107 (1) Section 92 (appeals from the Tribunal) is amended as follows.
- (2) In subsection (3) after “Lord Chancellor may” insert “, after consultation with the Lord Chief Justice of Northern Ireland,”.
- (3) After subsection (3) insert—
- “(3A) The Lord Chief Justice may nominate any of the following to exercise his functions under subsection (3)—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).”
- 108 (1) In Schedule 11 (tribunal established under section 91 of the Act), paragraph 5 (times and places of sittings in accordance with directions) is amended as follows.
- (2) That paragraph becomes sub-paragraph (1) of paragraph 5.
- (3) In that sub-paragraph, for “Lord Chancellor” substitute “ Lord Chief Justice”.
- (4) After that sub-paragraph insert—

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- “(2) The Lord Chief Justice may nominate any of the following to exercise his functions under this paragraph—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
 - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).”

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