

SCHEDULES

SCHEDULE 5

AMENDMENTS

Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

9. In Article 15(1) (rules under or for the purposes of particular enactments) for “section 16(1) of the Probation Act (Northern Ireland) 1950” substitute “section 32A(1) of the Treatment of Offenders Act (Northern Ireland) 1968”.

10. In Article 140 (appeals to county court against conviction or sentence)—

(a) at the end of paragraph (1) insert—

“(1A) Article 6 of the Criminal Justice (Northern Ireland) Order 1996 (under which a conviction of an offence for which an order for conditional or absolute discharge is made is deemed not to be a conviction except for certain purposes) shall not prevent an appeal under this Article, whether against conviction or otherwise.”;

(b) omit paragraph (2)(a);

(c) omit paragraph (3);

(d) in paragraph (4) for “section 7(1) of the Probation Act (Northern Ireland) 1950” substitute “Article 7(1) of the Criminal Justice (Northern Ireland) Order 1996”.

11. In Schedule 2 (indictable offences which may be dealt with summarily upon consent of the accused)—

(a) omit paragraph 2;

(b) in paragraph 5 (offences under the Offences against the Person Act 1861) after subparagraph (a)(vi) insert—

“(via) section 47 (assault occasioning actual bodily harm and common assault);”.