
STATUTORY INSTRUMENTS

2004 No. 1500

The Criminal Justice (Northern Ireland) Order 2004

PART IV

PROSECUTION APPEALS

Miscellaneous and supplemental

Offences in connection with reporting

31.—(1) This Article applies if a publication includes a report in contravention of Article 30.

(2) Where the publication is a newspaper or periodical, any proprietor, editor or publisher of the newspaper or periodical is guilty of an offence.

(3) Where the publication is a relevant programme—

- (a) any body corporate engaged in providing the programme service in which the programme is included; and
- (b) any person having functions in relation to the programme corresponding to those of an editor of a newspaper,

is guilty of an offence.

(4) In the case of any other publication, any person publishing it is guilty of an offence.

(5) For the purposes of this Article, section 20(2) of the Interpretation Act (Northern Ireland) 1954 (c. 33) applies with the omission of the words “the liability of whose members is limited” and where the affairs of a body corporate are managed by its members, applies in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(6) A person guilty of an offence under this Article is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) Proceedings for an offence under this Article may not be instituted otherwise than by or with the consent of—

- (a) before the relevant date, the Attorney General for Northern Ireland; or
- (b) on or after the relevant date, the Director of Public Prosecutions for Northern Ireland.

(8) In paragraph (7) “the relevant date” means the date on which section 22(1) of the Justice (Northern Ireland) Act 2002 (c. 26) comes into force.