
STATUTORY INSTRUMENTS

2004 No. 1500

The Criminal Justice (Northern Ireland) Order 2004

PART IV

PROSECUTION APPEALS

Miscellaneous and supplemental

Interpretation of Part IV

33.—(1) In this Part—

“programme service” has the meaning given by Article 30(11);

“publication” has the meaning given by Article 30(11);

“qualifying evidentiary ruling” is to be construed in accordance with Article 21(2);

“the relevant condition” is to be construed in accordance with Article 22(2) and (3);

“relevant programme” has the meaning given by Article 30(11);

“rules of court” means—

(a) Crown Court rules; and

(b) rules made under section 55 of the Judicature (Northern Ireland) Act 1978 (c. 23);

“ruling” includes a decision, determination, direction, finding, notice, order, refusal, rejection or requirement.

(2) Any reference in this Part (other than Article 32(2)(c)) to a judge is a reference to a judge of the Crown Court.

(3) There is to be no right of appeal under this Part in respect of a ruling in relation to which the prosecution has previously informed the court of its intention to appeal under either Article 17(4) or 21(5).

(4) Where a ruling relates to two or more offences but not all of those offences are the subject of an appeal under this Part, nothing in this Part is to be regarded as affecting the ruling so far as it relates to any offence which is not the subject of the appeal.

(5) Where two or more defendants are charged jointly with the same offence, the provisions of this Part are to apply as if the offence, so far as relating to each defendant, were a separate offence (so that, for example, any reference in this Part to a ruling which relates to one or more offences includes a ruling which relates to one or more of those separate offences).

Changes to legislation:

The Criminal Justice (Northern Ireland) Order 2004, Section 33 is up to date with all changes known to be in force on or before 09 February 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 4 para. 7A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(2\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 7A (not Sch. 4 para. 7A). This error has been reported to the relevant Department for correction in due course.)
- Sch. 4 para. 10A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(3\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 10A (not Sch. 4 para. 10A). This error has been reported to the relevant Department for correction in due course.)
- art. 11A inserted by [2015 c. 9 \(N.I.\) s. 52\(3\)](#)
- art. 14(2)(aa) inserted by [2015 c. 9 \(N.I.\) s. 52\(6\)](#)