
STATUTORY INSTRUMENTS

2008 No. 1216

The Criminal Justice (Northern Ireland) Order 2008

PART 6

SUPPLEMENTARY

[^{F1}Regulations, orders and rules

100.—(1) Regulations, orders and rules made by the Department of Justice under this Order shall be subject to negative resolution.

(2) Paragraph (1) does not apply to an order under Article 1 [^{F2}, 22(4) or 45(5)] .

(3) An order under Article 22(4) is not a statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

[^{F3}(3A) An order under section 45(5) may not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly]

(4) Rules made by the Secretary of State under this Order shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.

(5) Regulations, orders or rules made by the Department of Justice or the Secretary of State under this Order may contain—

- (a) any incidental, supplementary or consequential provision, and
- (b) any transitory, transitional or saving provisions,

which the Department of Justice or the Secretary of State (as the case may be) considers necessary or expedient.]

Textual Amendments

F1 Art. 100 substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(2), **Sch. 5 para. 30** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

F2 Words in art. 100(2) substituted (1.6.2018) by Justice Act (Northern Ireland) 2016 (c. 21), **ss. 29(10)(a)**, 61(2) (with s. 29(12)); S.R. 2018/99, art. 2(a)

F3 Art. 100(3A) inserted (1.6.2018) by Justice Act (Northern Ireland) 2016 (c. 21), **ss. 29(10)(b)**, 61(2) (with s. 29(12)); S.R. 2018/99, art. 2(a)

Changes to legislation:

The Criminal Justice (Northern Ireland) Order 2008, Section 100 is up to date with all changes known to be in force on or before 19 April 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. 2 Pt. 1 para. 31A renumbered as 31(B) by [2022 c. 19 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- art. 19(1A) inserted by [2015 c. 9 \(N.I.\) s. 82](#)
- art. 45(1A) inserted by [2011 c. 24 \(N.I.\) s. 58\(2\)](#)