

1989 No. 404 (C.15)

POLICE

EVIDENCE

**Police and Criminal Evidence (1989 Order)
(Commencement No. 1) Order (Northern Ireland) 1989**

Made *10th October 1989*

In exercise of the powers conferred on me by Article 1(3) and (4) of the Police and Criminal Evidence (Northern Ireland) Order 1989(a), I hereby make the following Order:—

Citation

1. This Order may be cited as the Police and Criminal Evidence (1989 Order) (Commencement No. 1) Order (Northern Ireland) 1989.

Appointed day

2. The day appointed for the coming into operation of the provisions of the Police and Criminal Evidence (Northern Ireland) Order 1989 specified in the Schedule to this Order shall, subject to Article 3, be 1st November 1989.

Transitional provisions

3. The provisions referred to in Article 2 (excluding Article 85) shall not apply:—

(a) to a trial which began before 1st November 1989;

(b) to proceedings before a magistrates' court where:—

(i) the court in conducting a preliminary investigation began to hear evidence for the prosecution (other than a deposition relating to the arrest or remand of the accused) before 1st November 1989;
or

(ii) the court began to conduct a preliminary inquiry before that date.

P. L. Brooke

Northern Ireland Office
10th October 1989

One of Her Majesty's Principal
Secretaries of State

**Provisions of the Police and Criminal Evidence
(Northern Ireland) Order 1989**

Coming into operation on 1st November 1989

<i>Provisions of the Order</i>	<i>Subject matter of provisions</i>
Part VIII	Documentary evidence in criminal proceedings
Part IX	Evidence in criminal proceedings—general
Article 85	Application of Order to Customs and Excise
Article 90, so far as it relates to paragraphs 15, 16 and 17 of Schedule 6 and Parts II and III of Schedule 7	Amendments and repeals
Schedule 3	Provisions supplementary to Article 68(4) (Evidence from computer records)
Paragraphs 15, 16 and 17 of Schedule 6	Amendments to the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (N.I. 16), the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 (N.I. 17) and the Criminal Evidence (Northern Ireland) Order 1988 (N.I. 20), respectively
Parts II and III of Schedule 7	Provisions repealed in relation to criminal proceedings in consequence of Part IX and provisions repealed generally in consequence of Part IX, respectively

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation on 1st November 1989 (“the operative date”) Parts VIII and IX and Article 85 of the Police and Criminal Evidence (Northern Ireland) Order 1989. Parts VIII and IX amend the law of evidence as do those parts of Schedules 6 and 7 which are included in this Order. Schedule 3 contains provisions supplementary to Article 68. Article 85 gives power to the Treasury to apply provisions relating to the investigation of offences and detention of persons to officers of Customs and Excise. Transitional provisions in this Order prevent the new provisions for the law of evidence in criminal proceedings from applying to trials and committal proceedings which have begun before the operative date.