

2006 No. 124 (C. 8)

JUSTICE

**The Justice (Northern Ireland) Act 2002
(Commencement No.11) Order 2006**

Made - - - -

8th March 2006

The Secretary of State makes the following Order in exercise of the powers conferred by section 87 of the Justice (Northern Ireland) Act 2002(a).

1. This Order may be cited as the Justice (Northern Ireland) Act 2002 (Commencement No.11) Order 2006.

2. The provisions of the Justice (Northern Ireland) Act 2002 specified in the Schedule to this Order shall come into force on 3rd April 2006.

Northern Ireland Office
8th March 2006

Peter Hain
One of Her Majesty's Principal Secretaries of State

PROVISIONS OF THE JUSTICE (NORTHERN IRELAND) ACT 2002
COMING INTO FORCE ON 3RD APRIL 2006

1. Section 12 (role of Lord Chief Justice).
2. Section 13 (presiding county court judge).
3. Section 14 (presiding resident magistrate).
4. Section 15 (presiding lay magistrate).
5. Section 16 (complaints about holders of judicial office).
6. Section 18(10) (qualification for appointment: Crown Solicitor for Northern Ireland).
7. Section 20 (Crown Solicitor).
8. Section 85(1) (minor and consequential amendments) to the extent necessary to bring into force the provisions of Schedule 12 specified in paragraph 10.
9. Section 86 (repeals and revocations) to the extent necessary to bring into force the provisions of Schedule 13 specified in paragraph 11.
10. In Schedule 12 (minor and consequential amendments) –
 - (a) paragraph 47; and
 - (b) paragraph 53(1) and (3) insofar as not already in force.
11. In Schedule 13 (repeals and revocations) the entries in respect of—
 - (a) the Coroners Act (Northern Ireland) 1959(a);
 - (b) the County Courts Act (Northern Ireland) 1959(b) insofar as it extends to section 105(1) and (1A) of that Act;
 - (c) the Magistrates' Courts Act (Northern Ireland) 1964(c) insofar as it extends to sections 1(3) and 11 of that Act;
 - (d) the Lands Tribunal and Compensation Act (Northern Ireland) 1964(d);
 - (e) the Northern Ireland (Modification of Enactments No.1) Order 1973(e) insofar as it extends to Schedule 2 of that Order;
 - (f) the Judicature (Northern Ireland) Act 1978(f) insofar as it extends to sections 2(1), 3(1), 4(1), 13 (insofar as not already in force), and 71(1), (2) and (4) of that Act, and, in Schedule 5, the entries relating to section 2(2) of the Coroners Act (Northern Ireland) 1959, section 105 of the County Courts Act (Northern Ireland) 1959, section 11 of the Magistrates' Courts Act (Northern Ireland) 1964, and section 2 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964;
 - (g) the Magistrates' Courts (Northern Ireland) Order 1981(g) insofar as it extends to Article 2(3) of that Order;
 - (h) the Administration of Justice Act 1982(h) insofar as it extends to Schedule 8 to that Act;

(a) 1959 c.15 (N.I.).
(b) 1959 c. 25 (N.I.).
(c) 1964 c.21 (N.I.).
(d) 1964 c.29 (N.I.).
(e) S.I. 1973/2163.
(f) 1978 c.23.
(g) S.I. 1981/1675 (N.I. 26).
(h) 1982 c. 53.

- (i) the Social Security Administration (Northern Ireland) Act 1992**(a)**;
- (j) the Education (Northern Ireland) Order 1996**(b)**;
- (k) the Social Security (Northern Ireland) Order 1998**(c)**;
- (l) the Fair Employment and Treatment (Northern Ireland) Order 1998**(d)**; and
- (m) the Justice (Northern Ireland) Act 2002 insofar as it extends to section 9(10) of that Act.

(a) 1992 c. 8.
(b) S.I. 1996/274 (N.I. 1).
(c) S.I. 1998/1506 (N.I. 10).
(d) S.I. 1998/3162 (N.I. 21).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd April 2006 the provisions of the Justice (Northern Ireland) Act 2002 specified in the Schedule.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 1 (guarantee of continued judicial independence)	30.8.2005	2005 No. 391 (C. 30)
Section 2 (appointment and removal of judiciary: introductory) Section 3 (Judicial Appointments Commission) Section 5(2) to (9) (appointment to listed judicial offices)	15.6.2005	2005 No. 281 (C. 21)
Section 9(1) to (3), (7) to (11) and (13) (lay magistrates)	1.9.2004	2004 No. 301 (C. 11)
Section 9(12) (lay magistrates: exercise of functions by Lord Chief Justice, Lord Justices of Appeal, judges of the High Court and county court judges) Section 10(1) to (5) and (7) (transfer of functions of justices of the peace) Section 10(6) (partially) Section 11 (transfer of functions of lay panellists)	1.4.2005	2005 No. 109 (C. 9)
Section 9(4), (5), (6) and (14) (lay magistrates) Section 17 (secretaries to Lord Chief Justice) Section 18(1) to (9) (qualification for appointment) Section 19 (judicial oath or affirmation) Section 21 (judicial pensions: pension sharing)	15.10.2002	2002 No. 319 (C. 27)
Section 29 (Public Prosecution Service) Section 30(1) to (10) (Director of Public Prosecutions) Section 31 (conduct of prosecutions)	13.6.2005	2005 No. 281 (C. 21)
Section 31A (conduct of extradition proceedings) as inserted by section 192(6) of the Extradition Act 2003(a).	Section 192(6) was commenced on 1.1.2004 by S.I. 2003/3103 (c.122)	
Section 32 (discontinuance of proceedings before court appearance) Section 34 (police complaints) Section 35 (information for Director) Section 36 (exercise of functions by and on behalf of Service) Section 37 (code for Prosecutors)	13.6.2005	2005 No. 281 (C. 21)

(a) 2003 c. 41.

Section 38 (equality and non-discrimination)	1.6.2006	2005 No. 281 (C. 21)
Section 39 (reports by Director)	1.9.2005	2005 No. 281 (C. 21)
Section 40 (superintendence and removal of Director)	13.6.2005	2005 No. 281 (C. 21)
Section 44 (interpretation)		
Section 45 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C.19)
Section 46(1) to (5) (functions of Chief Inspector)	18.12.2003	2003 No. 488 (C. 37)
Section 46(6) and (7) (functions of Chief Inspector)	15.10.2002	2002 No. 319 (C. 27)
Section 47 (further provisions about functions)	26.5.2003	2003 No. 265 (C. 19)
Section 48 (powers of inspectors)	18.12.2003	2003 No. 488 (C. 37)
Section 49 (reports)		
Section 53(1) to (5) (aims of youth justice system)	1.12.2003	2003 No. 488 (C. 37)
Section 53(6) (aims of youth justice system)	30.8.2005	2005 No. 391 (C. 30)
Section 54 (reparation orders)	1.12.2003	2003 No. 488 (C. 37)
Section 55 (community responsibility orders)		
Sections 57 to 62 (youth conferences and other provisions under Part 4 (youth justice))		
Section 63(1) and (2) (extension of youth justice system to 17 year olds)	30.8.2005	2005 No. 391 (C. 30)
Section 64 (juvenile justice centre orders for 17 year olds)		
Section 66 (display of Royal Arms at courts)	6.1.2003	2002 No. 405 (C. 33)
Section 68 to 70 (victims of crime)	26.5.2003	2003 No. 265 (C. 19)
Section 71 (community safety strategy)	18.12.2003	2003 No. 488 (C. 37)
Section 74 (appeals in small claims cases)	19.4.2004	2003 No. 416 (C. 31)
Section 75 (time limit for cases stated by county court)		
Section 77 (proceedings before coroner)	1.11.2003	2003 No. 416 (C. 31)
Sections 79 to 81 (court security)	15.10.2002	2002 No. 319 (C. 27)
Section 85(1) (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004, 1.1.2005 13.6.2005 and 30.8.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C. 37), 2004 No. 301 (C. 11), 2004 No. 502 (C. 29) 2005 No. 281 (C.21) and 2005 No. 391 (C. 30)
Section 85(2) (power to make amendments as a consequence of Part 4)	1.12.2003	2003 No. 488 (C. 37)
Section 86 (partially) (repeals and revocations)	15.10.2002, 1.10.2003, 1.12.2003, 1.4.2005, 13.6.2005 15.6.2005 and 30.8.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C. 37), 2005 No. 109 (C. 9), 2005 No. 281 (C. 21) and 2005 No. 391 (C. 30)
Schedule 1 (listed judicial offices)	15.6.2005	2005 No. 281 (C. 21)
Schedule 2 (Judicial Appointments Commission)		
Schedule 4 paragraphs 1 to 13, 15 to 16, 17(1),	1.4.2005	2005 No. 109 (C. 9)

(3) and (4), and 18 to 40 (functions of justices of the peace)		
Schedule 6 (office-holders required to take judicial oath)	15.10.2002	2002 No. 319 (C. 27)
Schedule 8 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C. 19)
Schedule 10 (youth justice orders: enforcement etc.)	1.12.2003	2003 No. 488 (C. 37)
Schedule 11 paragraphs 1, 3, 4, and 6 to 24 (extension of youth justice system to 17 year olds)	30.8.2005	2005 No. 391 (C. 30)
Schedule 12 (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004, 1.1.2005 13.6.2005 and 30.8.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C. 37), 2004 No. 301 (C. 11), 2004 No. 502 (C. 29), 2005 No. 281 (C. 21) and 2005 No. 391 (C. 30)
Schedule 13 (partially) (repeals and revocations)	15.10.2002, 1.10.2003, 1.12.2003, 1.4.2005, 13.6.2005 15.6.2005 and 30.8.2005	2002 No. 319 (C. 27), 2003 No. 416 (C. 31), 2003 No. 488 (C. 37), 2005 No. 109 (C. 9) 2005 No. 281 (C. 21) and 2005 No. 391 (C. 30)