

Draft Order laid before Parliament in accordance with section 2(4) of the Northern Ireland Arms Decommissioning Act 1997 (c. 7), for approval of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2003 No.

NORTHERN IRELAND

**The Northern Ireland Arms Decommissioning
Act 1997 (Amnesty Period) Order 2003**

Made - - - - 2003
Coming into force - - 27th February 2003

Whereas a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred on him by section 2(2)(b) of the Northern Ireland Arms Decommissioning Act 1997(1), the Secretary of State hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Northern Ireland Decommissioning Act 1997 (Amnesty Period) Order 2003 and shall come into force on 27th February 2003.

Appointed day

2. The day hereby appointed for the purposes of section 2(2)(b) of the Northern Ireland Arms Decommissioning Act 1997 is 26th February 2004, being not more than twelve months after the day on which this Order is made or later than 27th February 2007.

Northern Ireland Office
2003

One of Her Majesty's Principal Secretaries of
State

(1) 1997 c. 7. The powers in section 2(2)(b) of the Northern Ireland Arms Decommissioning Act 1997 are restricted by section 2(3) of that Act as amended by the Northern Ireland Arms Decommissioning (Amendment) Act 2002 (c. 6).

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 2(1) of the Northern Ireland Arms Decommissioning Act 1997 (“the 1997 Act”) a decommissioning scheme must identify a period during which firearms, ammunition and explosives may be dealt with in accordance with the scheme (“the amnesty period”). The 1997 Act was amended by the Northern Ireland Arms Decommissioning (Amendment) Act 2002 (“the 2002 Act”). Prior to amendment by the 2002 Act section 2(3) of the 1997 Act stated that the day appointed by an Order under section 2(2)(b) could be no more than twelve months after the date on which the Order was made and no more than five years after the day on which the 1997 Act was passed. The effect of the 2002 Act was to amend section 2(3) of the 1997 Act to the effect that the day appointed by an Order under section 2(2)(b) must be no more than twelve months after the date on which the Order was made and no later than 27th February 2007. The 2002 Act also amended section 2(2) to the effect that the amnesty period must end before 27th February 2003 or such later date as the Secretary of State may from time to time appoint. Accordingly an order under section 2(2)(b) of the 1997 Act was not necessary from the time the amendments took effect until 27th February 2003.

This Order appoints 26th February 2004 as the day before which the amnesty period identified in a decommissioning scheme must end.