



# Justice (Northern Ireland) Act 2002

## 2002 CHAPTER 26

### PART 2

#### LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

##### *Advocate General*

#### **27 Advocate General**

- (1) After the coming into force of section 22(1), the Attorney General for England and Wales shall, by virtue of that office, also be Advocate General for Northern Ireland.
- (2) In section 2 of the Law Officers Act 1997 (c. 60) (exercise of functions of Attorney General for Northern Ireland by Solicitor General)—
  - (a) in subsection (1), for “Attorney General for Northern Ireland” substitute “Advocate General for Northern Ireland”,
  - (b) in subsections (2) to (5), for “Attorney General” (in each place) substitute “Advocate General”, and
  - (c) in subsection (6), for ““Attorney General” means the Attorney” substitute ““Advocate General” means the Advocate”.
- (3) The Advocate General for Northern Ireland and the Solicitor General for England and Wales shall have in Northern Ireland the same rights of audience as members of the Bar of Northern Ireland.
- (4) In Schedule 2 to the Northern Ireland Act 1998 (c. 47) (excepted matters), after paragraph 21 insert—

“21A The office and functions of the Advocate General for Northern Ireland.”

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*Changes to legislation: Justice (Northern Ireland) Act 2002, Cross Heading: Advocate General 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. (See end of Document for details) View outstanding changes*

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**Commencement Information**

**I1** S. 27 in force at 12.4.2010 by S.R. 2010/113, art. 2, Sch. para. 7

**28 Functions of Advocate General**

- (1) Schedule 7 makes provision about the functions of the Advocate General for Northern Ireland.
- (2) The Secretary of State may by order make amendments in any enactment or instrument (whenever passed or made) for, or in connection with, the transfer to the Advocate General for Northern Ireland of a function of the Attorney General for Northern Ireland of giving consent to the institution or conduct of criminal proceedings (whether or not as an alternative to the consent of any other person).

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**Commencement Information**

**I2** S. 28(1) in force at 12.4.2010 for specified purposes by S.R. 2010/113, art. 2, Sch. para. 8

**I3** S. 28(2) in force at 12.4.2010 by S.R. 2010/113, art. 2, Sch. para. 9

**Changes to legislation:**

Justice (Northern Ireland) Act 2002, Cross Heading: Advocate General 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.

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

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

- s. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)