



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 3

OTHER NEW INSTITUTIONS

Law Commission

51 Duties of Commission

- (1) The Commission must keep under review the law of Northern Ireland with a view to its systematic development and reform, including in particular by—
 - (a) codification,
 - (b) the elimination of anomalies,
 - (c) the repeal of legislation which is no longer of practical utility, and
 - (d) the reduction of the number of separate legislative provisions,and generally by simplifying and modernising it.
- (2) For that purpose the Commission must—
 - (a) consider any proposals for the reform of the law of Northern Ireland made or referred to it,
 - (b) prepare and submit to the [^{F1}Department of Justice] (from time to time) programmes for the examination of different branches of that law with a view to reform, including recommendations as to the agency (whether itself or another body) by which any such examination should be carried out,
 - (c) undertake, pursuant to any such recommendations approved by the [^{F1}Department of Justice], the examination of particular branches of that law and the formulation (by means of draft legislation or otherwise) of proposals for reform of those branches,
 - (d) prepare (from time to time) at the request of the [^{F1}Department of Justice] comprehensive programmes of consolidation and repeal of legislation, and undertake the preparation of draft legislation pursuant to any such programme approved by the [^{F1}Department of Justice],

Changes to legislation: Justice (Northern Ireland) Act 2002, Section 51 is up to date with all changes known to be in force on or before 20 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

- [^{F2}(e) provide advice and information—
 - (i) to Northern Ireland departments, and
 - (ii) with the consent of the Department of Justice, to departments of the Government of the United Kingdom and other authorities or bodies concerned with proposals for the reform or amendment of any branch of the law of Northern Ireland, and]
- (f) obtain such information as to the legal systems of other countries as appears to the Commission likely to facilitate the performance of its other duties.

(3) Before approving any programme prepared by the Commission, the [^{F3}Department of Justice] must consult—

- ^{F4}(a)
- ^{F4}(b)
- (c) the Attorney General for Northern Ireland.

[^{F5}(3A) Before approving any programme prepared by the Commission that includes—

- (a) the examination of any branch of law relating (in whole or in part) to a reserved matter or an excepted matter, or
- (b) the consolidation or repeal of legislation relating (in whole or in part) to a reserved matter or an excepted matter,

the Department of Justice must consult the Secretary of State.

(3B) For the purposes of subsection (3A) “reserved matter” and “excepted matter” have the meanings given by section 4 of the Northern Ireland Act 1998.]

(4) In performing its duties the Commission must consult—

- (a) the Law Commission,
- (b) the Scottish Law Commission, and
- (c) the Law Reform Commission of the Republic of Ireland.

(5) The Commission must make an annual report on how it has performed its duties.

Textual Amendments

- F1** Words in s. 51(2)(b)-(d) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 13 para. 9(2)(a)** (with arts. 28-31)
- F2** S. 51(2)(e) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 13 para. 9(2)(b)** (with arts. 28-31)
- F3** Words in s. 51(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 13 para. 9(3)(a)** (with arts. 28-31)
- F4** S. 51(3)(a)(b) omitted (12.4.2010) by virtue of [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 13 para. 9(3)(b)** (with arts. 28-31)
- F5** S. 51(3A)(3B) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 13 para. 9(4)** (with arts. 28-31)

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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\(4\)](#)