



# Northern Ireland (Miscellaneous Provisions) Act 2006

## 2006 CHAPTER 33

### PART 4

#### DEVOLUTION OF POLICING AND JUSTICE ETC.

#### 16 Conditions for devolving policing and justice matters

- (1) Amend section 4 of the 1998 Act (transferred, excepted and reserved matters) as follows.
- (2) In subsection (2), for “subsection (3)” substitute “ subsections (2A) and (3) ”.
- (3) After subsection (2) insert—
  - “(2A) The Secretary of State shall not lay before Parliament under subsection (2) the draft of an Order amending Schedule 3 so that a [<sup>F1</sup>policing and justice matter]<sup>F1</sup> ceases to be a reserved matter unless—
    - (a) a motion for a resolution praying that the matter should cease to be a reserved matter is tabled by the First Minister and the deputy First Minister acting jointly; and
    - (b) the resolution is passed by the Assembly with the support of a majority of the members voting on the motion, a majority of the designated Nationalists voting and a majority of the designated Unionists voting.”
- (4) In subsection (3), for “the draft of an Order before Parliament under subsection (2)” substitute “ before Parliament under subsection (2) the draft of any other Order ”.
- (5) After subsection (5) insert—
  - “(6) In this section [<sup>F2</sup> “policing and justice matter” ]<sup>F2</sup> means a matter falling within a description specified in—12
    - (a) any of paragraphs 9 to 12, 14A to 15A and 17 of Schedule 3; or

---

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 16. (See end of Document for details)*

---

(b) any other provision of that Schedule designated for this purpose by an order made by the Secretary of State.”

(6) In this Part “the 1998 Act” means the Northern Ireland Act 1998 (c. 47).

**Textual Amendments**

- F1** Words in s. 16(3) substituted (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), **ss. 18(5), 27(4)(5)** (as amended by Northern Ireland (St Andrews Agreement) Act 2007 (c. 4), s. 1(1)) (with s. 1(3)); S.I. 2007/1397, **art. 2**
- F2** Words in s. 16(5) substituted (8.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), **ss. 18(6), 27(4)(5)** (as amended by Northern Ireland (St Andrews Agreement) Act 2007 (c. 4), s. 1(1)) (with s. 1(3)); S.I. 2007/1397, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 16.