

Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007,
Cross Heading: Director of Public Prosecutions for Northern Ireland. (See end of Document for details)

SCHEDULES

SCHEDULE 2

FUNCTIONS OF APPLICANT AUTHORITIES UNDER PART 1

Director of Public Prosecutions for Northern Ireland

- 16 The functions of the Director of Public Prosecutions for Northern Ireland under this Part are—
- (a) to have the conduct of applications for serious crime prevention orders in Northern Ireland or for their variation or discharge;
 - (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in Northern Ireland;
 - (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders (whether proceedings on appeal, by virtue of section 28 or otherwise);
 - (d) to give advice in connection with any proceedings or possible proceedings about serious crime prevention orders; and
 - (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).

Commencement Information

I1 Sch. 2 para. 16 in force at 6.4.2008 by [S.I. 2008/755](#), [art. 15\(1\)\(h\)](#)

- 17 References in this Part to the Director are to be read, so far as necessary for the purposes of functions delegated by him to Public Prosecutors, as references to the Director or any Public Prosecutor.

Commencement Information

I2 Sch. 2 para. 17 in force at 6.4.2008 by [S.I. 2008/755](#), [art. 15\(1\)\(h\)](#)

- 18 (1) The Code for Public Prosecutors issued under section 37 of the Justice (Northern Ireland) Act 2002 (c. 26) (guidelines for Public Prosecutors) may include guidance by the Director on general principles to be applied by Public Prosecutors in determining in any case—
- (a) whether to make an application for a serious crime prevention order in Northern Ireland or for the variation or discharge of such an order;
 - (b) whether to present a petition by virtue of section 28 of this Act; or
 - (c) where such an application has been made or petition presented, whether the proceedings concerned should be discontinued.

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(2) Sections 37(4) and 39(2) of that Act (power to make alterations in the Code and duty to set out alterations in Director's report) are to be read accordingly.

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Commencement Information

I3 Sch. 2 para. 18 in force at 1.3.2008 by [S.I. 2008/219](#), **art. 3(c)**

19 Sections 75(1) and (2) and 76(1) of, and Schedule 9 to, the Northern Ireland Act 1998 (c. 47) (duties of public authorities) do not apply to the functions of the Director of Public Prosecutions for Northern Ireland under this Part.

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Commencement Information

I4 Sch. 2 para. 19 in force at 6.4.2008 by [S.I. 2008/755](#), **art. 15(1)(h)**

20 Section 1 of the Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10 (N.I.)) (expenses of prosecution) applies in relation to proceedings in connection with serious crime prevention orders and attendance for the purposes of such cases as it applies in relation to criminal proceedings and attendance for the purposes of such cases.

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Commencement Information

I5 Sch. 2 para. 20 in force at 6.4.2008 by [S.I. 2008/755](#), **art. 15(1)(h)**

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