



Northern Ireland Act 2009

CHAPTER 3

NORTHERN IRELAND ACT 2009

- 1 Northern Ireland department with policing and justice functions
- 2 Judicial appointments and removals
- 3 Miscellaneous amendments
- 4 Amendments to section 86 of the Northern Ireland Act 1998
- 5 Final provisions

SCHEDULES

SCHEDULE 1 — Northern Ireland department with policing and justice functions

Part 1 — PRELIMINARY

- 1 In this Schedule “the 1998 Act” means the Northern Ireland...
- 2 For the purposes of paragraph 22 of Schedule 2 to...

Part 2 — AMENDMENTS TO THE 1998 ACT RELATING TO DEPARTMENTAL MODEL FOR POLICING AND JUSTICE FUNCTIONS

- 3 (1) Amend section 21A of the 1998 Act as follows....
- 4 (1) Amend Schedule 4A to the 1998 Act as follows....

Part 3 — SPECIAL PROVISION APPLYING TO FIRST POLICING AND JUSTICE DEPARTMENT

- 5 Application
- 6 Section 18(1)(b) of the 1998 Act not to apply on establishment of department
- 7 Filling of Ministerial office after election
- 8 Dissolution of department etc
- 9 Amendments to sections 21B and 21C of the 1998 Act
- 10 In section 21C(1) of the 1998 Act—

SCHEDULE 2 — Sections 12 to 12C of the Judicature (Northern Ireland) Act 1978

- 12 Appointment of the Lord Chief Justice and Lords Justices of Appeal
- 12A Appointment of judges of the High Court
- 12B Tenure of office: Lord Chief Justice
- 12C Tenure of office: Lords Justices of Appeal and certain High Court judges

SCHEDULE 3 — Amendments to the Justice (Northern Ireland) Act 2002

- 1 (1) Amend section 2 as follows. (2) Omit subsection (1)(a)....
- 2 Omit section 4.
- 3 For section 5 substitute— Appointment to listed judicial offices Schedule 3 (which is about the making of appointments to...
- 4 In section 5A(1) for “section 5” substitute “Schedule 3”.
- 5 Omit section 6.
- 6 (1) Amend section 7 as follows. (2) In subsection (2)...
- 7 For section 8 substitute— Tribunals for considering removal (1) A tribunal to consider the removal of the holder...
- 8 (1) Amend section 9B as follows. (2) In subsection (3)...
- 9 Omit section 9G.
- 10 In section 9H omit “or 9G”.
- 11 (1) Amend section 9I(2) as follows. (2) In paragraph (a)...
- 12 In section 88 before ““listed judicial office”” insert ““the justice...”
- 13 For Schedule 3 substitute— SCHEDULE 3 Appointment to listed judicial...
- 14 After paragraph 12(2) of Schedule 3A insert—

SCHEDULE 4 — Transfer of appointment and related functions

- 1 Pensions Appeal Tribunals Act 1943 (c. 39)
- 2 Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))
- 3 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 4 Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.))
- 5 For section 12A(2) substitute— (2) Allowances under this section shall...
- 6 Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))
- 7 (1) Amend section 3 as follows. (2) In subsection (1)...
- 8 Misuse of Drugs Act 1971 (c. 38)
- 9 Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28))
- 10 Judicature (Northern Ireland) Act 1978 (c. 23)
- 11 In section 3(4) for “Her Majesty may by Order in...”
- 12 For section 7(3) substitute— (3) The Northern Ireland Judicial Appointments...
- 13 After section 8(1) insert— (1A) For this purpose, an appointment...
- 14 In section 14(1) for “the Lord Chancellor” substitute “Her Majesty”....
- 15 (1) Amend section 70 as follows. (2) For subsection (1)...
- 16 (1) Amend section 74 as follows. (2) For subsection (1)...
- 17 In section 103(3)— (a) for “Lord Chancellor” substitute “justice department...”
- 18 (1) Amend section 119 as follows. (2) In subsection (1)...
- 19 Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)
- 20 Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))
- 21 Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I. 22))
- 22 Child Support Act 1991 (c. 48)
- 23 For paragraph 4(1) and (2) of Schedule 4 substitute—

- 24 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 25 Tribunals and Inquiries Act 1992 (c. 53)
- 26 Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))
- 27 Plant Varieties Act 1997 (c. 66)
- 28 Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. 1997/269)
- 29 Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
- 30 (1) Amend Article 7 as follows. (2) In paragraphs (1),...
- 31 After paragraph 1(1) of Schedule 1 insert—
- 32 Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))
- 33 Justice (Northern Ireland) Act 2002 (c. 26)
- 34 (1) Amend section 90 as follows. (2) In subsection (1)(c)...
- 35 (1) Amend Schedules 1 and 6 as follows.
- 36 Omit paragraphs 14 and 17(2) of Schedule 4.
- 37 Omit paragraph 13 of Schedule 12.
- 38 In Schedule 13 omit— (a) the repeal of words in...
- 39 Criminal Injuries Compensation (Northern Ireland) Order 2002 (S.I. 2002/796 (N.I. 1))
- 40 In Article 13(2) for “Article 7(6)” substitute “section 7 of...
- 41 Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9))
- 42 Traffic Management (Northern Ireland) Order 2005 (S.I. 2005/1964 (N.I. 14))
- 43 Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005 (S.R. 2005/150)
- 44 (1) Amend regulation 4 as follows. (2) In paragraphs (1)(a)...
- 45 Fair Employment Tribunal (Rules of Procedure) Regulations (Northern Ireland) 2005 (S.R. 2005/151)
- 46 (1) Amend regulation 5 as follows. (2) In paragraph (2)...
- 47 Charities Act (Northern Ireland) 2008 (c. 12 (N.I.))

SCHEDULE 5 — Consequential amendments and transitional provision

Part 1 — CONSEQUENTIAL AMENDMENTS

- 1 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 2 For section 134 substitute— Evidence of health Before selecting any person for recommendation for appointment as a...
- 3 Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.))
- 4 Northern Ireland Act 1998 (c. 47)
- 5 Justice (Northern Ireland) Act 2004 (c. 4)
- 6 Constitutional Reform Act 2005 (c. 4)
- 7 (1) Amend paragraph 4 of Schedule 7 as follows.
- 8 Omit paragraphs 36 to 39 of Schedule 17.
- 9 Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33)

Part 2 — TRANSITIONAL PROVISION

- 10 (1) This paragraph applies if— (a) before the coming into...
- 11 (1) This paragraph applies if before the coming into force...
- 12 (1) This paragraph applies if— (a) before the coming into...
- 13 Paragraph 8(2) of Schedule 3 to this Act has no...
- 14 Despite its repeal by paragraph 9 of Schedule 3 to...
- 15 In section 9I(2) of the Justice (Northern Ireland) Act 2002...
- 16 (1) This paragraph applies in relation to a function which,...

Status: This is the original version (as it was originally enacted).

SCHEDULE 6 — Review of arrangements for judicial appointments and removals
etc

- 1 After section 29B of the Northern Ireland Act 1998 (c....
- 2 (1) From 1 May 2012, no new members may be...