

SCHEDULES

SCHEDULE 15

Serious Organised Crime and Police Act 2005

24. In section 172 (orders and regulations) after subsection (8) insert—

“(9) Any power of the Department of Justice in Northern Ireland to make an order under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979⁽¹⁾).

(10) Any such power—

- (a) may be exercised so as to make different provision for different cases or descriptions of case or different purposes or areas, and
- (b) includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Department of Justice considers appropriate.

(11) Subject to subsections (12) and (13), orders made by the Department of Justice under this Act are to be subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954⁽²⁾).

(12) Subsection (11) does not apply to any order under section 178.

(13) Subsection (11) also does not apply to—

- (a) any order under section 52;
- (b) any order under section 87(6A);
- (c) any order under section 89(6A);
- (d) any order under section 97(1A);
- (e) any order under section 173 which amends or repeals any provision of an Act,

and no such order may be made by the Department of Justice (whether alone or with other provisions) unless a draft of it has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(14) Section 41(3) of the Interpretation Act (Northern Ireland) 1954⁽³⁾ applies for the purposes of subsection (13) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.”

Commencement Information

II Sch. 15 para. 24 in force at 12.4.2010, see [art. 1\(2\)](#)

⁽¹⁾ [S.I. 1979/1573 \(N.I. 12\)](#).

⁽²⁾ [1954 c. 33 \(N.I.\)](#). Section 41(6) was amended by [S.I. 1999/663](#).

⁽³⁾ Section 41(3) was substituted by [S.I. 1999/663](#).

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 24.