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STATUTORY INSTRUMENTS

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**2010 No. 977**

**The Northern Ireland Act 1998  
(Amendment of Schedule 3) Order 2010**

**Prevention and detection of crime, public order, prisons, policing etc**

**3.** For paragraph 9(1) substitute—

“9.—(1) The following matters—

- (a) the subject-matter of the following provisions of the Regulation of Investigatory Powers Act 2000(2)—
  - (i) Chapter 1 of Part 1, so far as relating to the prevention or detection of serious crime (within the meaning of that Act), and
  - (ii) so far as relating to the prevention or detection of crime (within the meaning of that Act) or the prevention of disorder—
    - (aa) Chapter 2 of Part 1, and
    - (bb) Parts 2 and 3;
- (b) in relation to the prevention or detection of crime, the subject-matter of Part 3 of the Police Act 1997(3);
- (c) the operation of—
  - (i) sections 21 to 40 of, and Schedules 3 and 4 to, the Justice and Security (Northern Ireland) Act 2007(4), and
  - (ii) section 102 of, and Schedule 12 to, the Terrorism Act 2000(5);
- (d) in relation to terrorism, the exercise of the Royal prerogative of mercy;
- (e) the operation of sections 1 to 8 of, and Schedule 1 to, the Justice and Security (Northern Ireland) Act 2007 and the operation of Part 1 of the Criminal Procedure and Investigations Act 1996(6) where a certificate under section 1 of the 2007 Act has been issued;
- (f) in relation to the regulation of drugs or other substances through the criminal law (including offences, exceptions to offences, penalties, powers of arrest and detention, prosecutions and the treatment of offenders) or otherwise in relation to the prevention or detection of crime—

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(1) Paragraph 9 was amended by section 83(a) of, and paragraph 65 of Schedule 12 to, the Justice (Northern Ireland) Act 2002 (c. 26).

(2) 2000 c. 23.

(3) 1997 c. 50.

(4) 2007 c. 6.

(5) 2000 c. 11. Paragraph 27 of the Schedule to S.I. 2007/2259 provides that the expiry of section 102 of, and Schedule 12 to, the Terrorism Act 2000 by virtue of section 1(2)(b) of the Terrorism (Northern Ireland) Act 2006 (c. 4) does not affect the operation of those provisions in relation to real or personal property taken, occupied, destroyed or damaged, or any other act done which interferes with private rights of property, before the end of 31st July 2007.

(6) 1996 c. 25.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (i) the subject-matter of the Misuse of Drugs Act 1971(7);
  - (ii) the subject-matter of sections 12 and 13 of the Criminal Justice (International Co-operation) Act 1990(8);
  - (g) the Serious Organised Crime Agency;
  - (h) in relation to prisons, the accommodation of persons in separated conditions on the grounds of security, safety or good order.
- (2) In sub-paragraph (1)(h) “prisons” includes any institution for the detention of persons because of their involvement, or suspected involvement, in crime.
- (3) This paragraph does not include any excepted matters or any matter within paragraph 10 of this Schedule.”

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(7) Functions under the Act were transferred by S.R. & O (N.I.) 1973 No. 504. The Act was amended by the Northern Ireland Constitution Act 1973 (c. 36) Schedule 5, paragraph 1(1), Schedule 6, paragraph 1; the Customs and Excise Management Act 1979 (c. 2), Schedule 4, paragraph 8; the Criminal Law Act 1977 (c. 45), section 52; the Police and Criminal Evidence Act 1984 (c. 60), ...; the Medical Act 1983 (c. 54), Schedule 5, paragraph 9; the Dentists Act 1984 (c. 24) Schedule 5, paragraph 3; the Drug Trafficking Offences Act 1986 (c. 32), section 34(1); the Extradition Act 1989 (c. 33) section 37, Schedule 2; the Criminal Justice (International Co-operation) Act 1990 (c. 5), sections 23, 31, Schedule 4, paragraph 1; the Drug Trafficking Act 1994 (c. 37) section 65(1), Schedule 1, paragraphs 3-5; the Statute Law (Repeals) Act 2004 (c. 14), Schedule 1 Part 17, Group 7; the Drugs Act 2005 (c. 17), sections 1, 2; the Serious Crime Act 2007 (c. 27) Schedule 6, paragraph 53; S.I. 1976/1213 (N.I. 22); S.I. 1981/1675 (N.I. 26); S.I. 1983/1120 (N.I. 13); S.I. 1994/2795 (N.I. 15); S.I. 1996/1299 (N.I. 9); S.I. 1996/1496; and S.I. 2007/3101. The Act was modified by S.I. 2007/912 (NI 6); the Serious Organised Crime and Police Act 2005 (c. 15), Schedule 8, paragraph 14; and the Criminal Justice (International Co-operation) Act 1990 (c.5), section 19(5). The Act was extended by S.I. 1993/2166.

(8) 1990 c. 5.