



Police Reform Act 2002

2002 CHAPTER 30

PART 4

POLICE POWERS ETC.

CHAPTER 2

PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

Sex offenders

73 Interim orders for sex offenders: Northern Ireland

- (1) After Article 6 of the Criminal Justice (Northern Ireland) Order 1998 there shall be inserted—

“6A Interim orders: sex offenders

- (1) This Article applies where an application for a sex offender order (“the main application”) to a court of summary jurisdiction has not been determined.
- (2) The applicant may apply by way of complaint under Part VIII of the Magistrates’ Courts (Northern Ireland) Order 1981 ([S.I. 1981/ 1675 \(N.I. 26\)](#)) to the court for an interim order, pending the determination of the main application.
- (3) The court may make an interim order prohibiting the defendant from doing anything described in the order if it considers that it is appropriate to do so.
- (4) An interim order—
 - (a) shall have effect for the period specified in the order;
 - (b) shall (if still in force) cease to have effect on the determination of the main application.

Status: This is the original version (as it was originally enacted).

- (5) While an interim order is in force, Part 1 of the Sex Offenders Act 1997 (c. 51) shall have effect as if—
- (a) the defendant were subject to the notification requirements of that Part; and
 - (b) in relation to him, the relevant date (within the meaning of that Part) were the date of service of the order.
- (6) The applicant or the defendant may apply for the variation or discharge of the interim order by a further order.
- (7) If without reasonable excuse a person does anything which he is prohibited from doing by an interim order, he is guilty of an offence.
- (8) A person guilty of an offence under paragraph (7) shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both; or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both.
- (9) Where a person is convicted of an offence under paragraph (7), it shall not be open to the court by or before which he is convicted to make an order under paragraph (1)(b) (conditional discharge) of Article 4 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/ 3160 (N.I. 24)) in respect of the offence.”
- (2) In Article 7(7) of that Order (sex offender orders: supplemental)—
- (a) after “a sex offender order” there shall be inserted “or an interim order under Article 6A”;
 - (b) after “Article 6(6)” there shall be inserted “or 6A(6)”.