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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 1 **N.I.**

Section 6.

#### AMENDMENTS: SINGLE JURISDICTION

##### *The Gaming Act (Ireland) 1739 (c. 8)*

**1** In section 16 (bringing of actions) omit the words from “and shall be laid” to the end.

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#### Commencement Information

**I1** Sch. 1 para. 1 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

##### *The Forcible Entry Act (Ireland) 1786 (c. 24)*

**2** In section 65 (indictments) for “some one or more of the justices of the peace of the county, county of the city or town where such indictment shall be made” substitute “a district judge (magistrates' courts)”.

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#### Commencement Information

**I2** Sch. 1 para. 2 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

##### *The Parliamentary Representation Act (Ireland) 1800 (c. 29)*

**3** In section 7 (writs) for “crown office in Ireland” and “crown office of Ireland” substitute “chief clerk”.

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#### Commencement Information

**I3** Sch. 1 para. 3 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

##### *The Tolls (Ireland) Act 1817 (c. 108)*

**4** In section 7 (schedule of tolls) for “chief clerk for the county court division where such custom, toll, or duty may be claimed,” substitute “chief clerk”.

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**Commencement Information**

**I4** Sch. 1 para. 4 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Tithe Rentcharge (Ireland) Act 1838 (c. 109)*

**5** In section 27 (recovery of rent-charge) omit “wherein the lands charged therewith may be situate”.

**Commencement Information**

**I5** Sch. 1 para. 5 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Defence Act 1842 (c. 94)*

**6** In section 24 (compensation)—

- (a) for “two justices of the peace of the county, riding, stewartry, city or place” substitute “ a court of summary jurisdiction ”;
- (b) for “such justices” substitute “ that court ”.

**Commencement Information**

**I6** Sch. 1 para. 6 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Fisheries (Ireland) Act 1842 (c. 106)*

**7.**—(1) In section 92 (byelaws) for the words from “deposited with” to “in each such petty sessions district” substitute “ deposited with the clerk of petty sessions who shall publish notice of the lodgement; ”.

(2) In section 103 omit “in the district where the same shall be seized”.

**Commencement Information**

**I7** Sch. 1 para. 7 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Companies Clauses Consolidation Act 1845 (c. 16)*

**8.**—(1) In section 3 (interpretation) omit “acting for the place where the matter requiring the cognizance of any such justice shall arise and”.

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(2) In section 161 (deposit of copies of special Act) for the words from “deposit in the office” to “into which the works shall extend” substitute “deposit in the office of the chief clerk”.

**Commencement Information**

**I8** Sch. 1 para. 8 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Lands Clauses Consolidation Act 1845 (c. 18)*

**9** In section 150 (deposit of copies of special Act) for the words from “deposit in the office” to “into which the works shall extend” substitute “deposit in the office of the chief clerk”.

**Commencement Information**

**I9** Sch. 1 para. 9 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Railways Clauses Consolidation Act 1845 (c. 20)*

**10.—(1)** In section 7 (correction of plans) for the words from “deposited with” to “shall be situate” substitute “deposited with the chief clerk”.

(2) In section 8 (deposit of plans) for the words from “deposited with” to “intended to pass” substitute “deposited with the chief clerk”.

(3) In section 11 (limitation of deviation)—

(a) for the words from “two or more justices” to “may be situated” substitute “a court of summary jurisdiction”;

(b) omit the words from “Provided also, that” to the end.

(4) In section 59 (consent to level crossing)—

(a) for the words from “any two or more justices” to “is situate, and assembled in petty sessions” substitute “a court of summary jurisdiction”;

(b) for “such justices” substitute “that court”.

**Commencement Information**

**I10** Sch. 1 para. 10 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Ejectment and Distress (Ireland) Act 1846 (c. 111)*

**11** In section 16 for the words from “apply to any one” to “fixed in such summons” substitute “apply to a district judge (magistrates' courts) for the redress

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of his grievance, whereupon the district judge shall summon the person complained of to appear before a court of summary jurisdiction at a reasonable time to be fixed in the summons.”.

**Commencement Information**

I11 Sch. 1 para. 11 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Markets and Fairs Clauses Act 1847 (c. 14)*

12.—(1) In section 7 (correction of errors) for “the chief clerk for the county court division in which the lands affected thereby shall be situated” substitute “ the chief clerk ”.

(2) In section 50 (annual account) for “the chief clerk for the county court division in which the market or fair is situate” substitute “ the chief clerk ”.

(3) In section 58 (deposit of special Act) for the words from “deposit in” to “is situate” substitute “ deposit in the office of the chief clerk ”.

**Commencement Information**

I12 Sch. 1 para. 12 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Commissioners Clauses Act 1847 (c. 16)*

13.—(1) In section 95 for “the chief clerk for the county court division where the undertaking is situate” substitute “ the chief clerk ”.

(2) In section 110 (copies of special Act) for the words from “deposit in” to “is situate” substitute “ deposit in the office of the chief clerk ”.

**Commencement Information**

I13 Sch. 1 para. 13 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Harbours, Docks and Piers Clauses Act 1847 (c. 27)*

14.—(1) In section 7 (correction of plans) for the words from “be deposited in” to “are situate” substitute “ be deposited with the chief clerk ”.

(2) In section 8 (alterations to plans) for the words from “deposited with the said” to “is situate” substitute “ deposited with the chief clerk ”.

(3) In section 50 (annual account) for the words from “charge, to the” to “is situate” substitute “ charge, to the chief clerk ”.

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(4) In section 97 (copies of special Act) for the words from “deposit in” to “is situate” substitute “ deposit in the office of the chief clerk ”.

**Commencement Information**

**I14** Sch. 1 para. 14 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Towns Improvement Clauses Act 1847 (c. 34)*

**15.—**(1) In section 3 (interpretation)—

- (a) in the definition of “justice” for the words from “shall mean” to “arises” substitute “ shall mean a lay magistrate ”;
- (b) in the definition of “quarter sessions” for the words from “shall mean” to the end substitute “ shall mean the county court ”.

(2) In section 20 (correction of errors) for “the chief clerk for the county court division in which the lands affected thereby shall be situated” substitute “ the chief clerk ”.

(3) In section 214 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

**Commencement Information**

**I15** Sch. 1 para. 15 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Cemeteries Clauses Act 1847 (c. 65)*

**16.—**(1) In section 7 (correction of errors) for the words from “deposited with” to “shall be situated” substitute “ deposited with the chief clerk ”.

(2) In section 60 (annual accounts) for the words from “charge, to the” to “is situated” substitute “ charge, to the chief clerk ”.

(3) In section 66 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

**Commencement Information**

**I16** Sch. 1 para. 16 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Vagrancy (Ireland) Act 1847 (c. 84)*

**17** In section 8 (interpretation) for the words from “any justice” to “town corporate” substitute “any lay magistrate or district judge (magistrates' courts)”.

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#### Commencement Information

**I17** Sch. 1 para. 17 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Town Police Clauses Act 1847 (c. 89)*

**18** In section 77 (copies of special Act) for the words from “deposit in” to “is situated” substitute “ deposit in the office of the chief clerk ”.

#### Commencement Information

**I18** Sch. 1 para. 18 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Railway Act (Ireland) 1851 (c. 70)*

**19.**—(1) In section 4 (deposit of maps) for the words from “or so much thereof as relates” to the end substitute “ with the chief clerk ”.

(2) In section 8 (notice of appointment of arbitrator) for the words “with the chief clerks for the county court division” substitute “ with the chief clerk ”.

(3) In section 11 (retention of documents) for the words from the beginning to “hereby” substitute “ The chief clerk is hereby ”.

#### Commencement Information

**I19** Sch. 1 para. 19 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Fines Act (Ireland) 1851 (c. 90)*

**20.**—(1) In section 6 (enforcement) for “two justices of the county” substitute “district judge (magistrates' courts)”.

(2) In section 8 (penalties) for “two justices of the county” substitute “district judge (magistrates' courts)”.

#### Commencement Information

**I20** Sch. 1 para. 20 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Summary Jurisdiction (Ireland) Act 1851 (c. 92)*

**21** In section 1 (jurisdiction of justices) omit—

(a) “within his or their respective jurisdictions”; and

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(b) “(when the case shall be heard in any petty sessions district)”.

**Commencement Information**

**I21** Sch. 1 para. 21 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Petty Sessions (Ireland) Act 1851 (c. 93)*

**22.**—(1) In section 26(3) (execution of warrants) for the words from “at any place” to “adjoining county” substitute “ at any place ”.

(2) In section 28 (backing of warrants) for the words from “are not to be found” to “in any of the places” substitute “ are in any of the places ”.

(3) In section 31 (execution of warrant) for the words from “or peace officers” to the end substitute “to execute the warrant by arrest, committal, or levy, as the case may be, and in the case of a warrant to arrest any person and convey him when arrested before any district judge (magistrates' courts) to be dealt with according to law.”.

**Commencement Information**

**I22** Sch. 1 para. 22 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Boundary Survey (Ireland) Act 1854 (c. 17)*

**23** In section 12 (alteration of boundary) for the words from “transmitted to” to “way relate” substitute “ transmitted to the chief clerk ”.

**Commencement Information**

**I23** Sch. 1 para. 23 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Towns Improvement (Ireland) Act 1854 (c. 103)*

**24** In section 1 (interpretation) omit the definition of “assistant barrister”.

**Commencement Information**

**I24** Sch. 1 para. 24 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Boundary Survey (Ireland) Act 1859 (c. 8)*

**25** In section 4 (publication of order) for the words from “transmitted to” to “way relate” substitute “transmitted to the chief clerk”.

**Commencement Information**

**I25** Sch. 1 para. 25 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)*

**26** In section 3 (offenders) for the words from “taken before” to the end substitute “taken before a district judge (magistrates' courts) to be dealt with according to law.”.

**Commencement Information**

**I26** Sch. 1 para. 26 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Tramways (Ireland) Act 1860 (c. 152)*

**27** In section 33 (entry to land)—

- (a) for the words from “under the hand” to “not having” substitute “under the hand of a district judge (magistrates' courts) who does not have”;
- (b) for the words from “fixed by” to “same district” substitute “fixed by a district judge (magistrates' courts)”.

**Commencement Information**

**I27** Sch. 1 para. 27 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Landlord and Tenant Law Amendment Act (Ireland) 1860 (c. 154)*

**28.—(1)** In section 35 (restraint of waste)—

- (a) for the words from “satisfy” to “of the county” substitute “satisfy a district judge (magistrates' courts)”;
- (b) for the words from “at the next” to “premises are situate” substitute “at the next petty sessions”.

(2) In sections 63 and 69 (deposit of sums due) for “chief clerk for the county court division” substitute “chief clerk”.

(3) In section 79 (view of lands) for the words from “lawful for” to “shall be situate and” substitute “lawful for a district judge (magistrates' courts)”.



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(4) In Schedule (A) (forms) omit “for the county of M,” (wherever occurring).

**Commencement Information**

**I28** Sch. 1 para. 28 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Railways Act (Ireland) 1864 (c. 71)*

**29** In section 14 (value of crops) for the words from “determined by” to the end substitute “determined by a district judge (magistrates' courts)”.

**Commencement Information**

**I29** Sch. 1 para. 29 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Dockyard Ports Regulation Act 1865 (c. 125)*

**30** Omit section 22 (jurisdiction of justices over vessels).

**Commencement Information**

**I30** Sch. 1 para. 30 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Promissory Oaths Act 1871 (c. 48)*

**31** In section 2 (persons who may take oaths) for the words from “or at the” to the end substitute “ or at the county court ”.

**Commencement Information**

**I31** Sch. 1 para. 31 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Matrimonial Causes and Marriage  
Law (Ireland) Amendment Act 1871 (c. 49)*

**32** In section 23 (register books) for the words from “information thereof to” to “solemnized” substitute “information thereof to a district judge (magistrates' courts)”.

**Commencement Information**

**I32** Sch. 1 para. 32 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Public Health (Ireland) Act 1878 (c. 52)*

**33.—**(1) In section 2 (interpretation) omit the definition of “court of quarter sessions”.

(2) In section 269 (appeals) for subsection (1) substitute—

“(1) The appeal shall be made to the county court.”

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**Commencement Information**

**I33** Sch. 1 para. 33 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Settled Land Act 1882 (c. 38)*

**34** In section 46(10) (payment into court) for the words from “be exercised by” to the end substitute “be exercised by the county court”.

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**Commencement Information**

**I34** Sch. 1 para. 34 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Married Women's Property Act 1882 (c. 75)*

**35** In section 17 (summary decision of questions) for the words from “in a summary way” to “and the court” substitute “in a summary way to the High Court or a county court and the court”

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**Commencement Information**

**I35** Sch. 1 para. 35 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Explosive Substances Act 1883 (c. 3)*

**36** In section 6(1) (inquiry into crimes) omit—

(a) “for the county, borough, or place in which the crime was committed or is suspected to have been committed”;

(b) “in the said county, borough, or place”.

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**Commencement Information**

**I36** Sch. 1 para. 36 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Bills of Sale (Ireland) Act (1879) Amendment Act 1883 (c. 7)*

**37** In section 11 (registration) for the words from “transmit” to the end of the first paragraph substitute “ transmit an abstract in the prescribed form of the contents of such bill of sale to the chief clerk. ”.

**Commencement Information**

**I37** Sch. 1 para. 37 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Local Government (Ireland) Act 1898 (c. 37)*

**38** In section 69 (boundaries)—

- (a) in subsection (3) omit the words from “provided that” to the end;
- (b) omit subsections (4) and (5).

**Commencement Information**

**I38** Sch. 1 para. 38 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Open Spaces Act 1906 (c. 25)*

**39** In section 4(2) (transfer of open space) omit the words from “of the district” to the end.

**Commencement Information**

**I39** Sch. 1 para. 39 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Summary Jurisdiction (Ireland) Act 1908 (c. 24)*

**40** In sections 1(2) and 2(2) (habitual drunkards) for the words from “anyone holding” to the end substitute “ any justice of the peace ”.

**Commencement Information**

**I40** Sch. 1 para. 40 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)*

**41** In section 11(b) omit the words “and as if after the words “petty sessions” there were inserted “ for the petty sessions district for which the court which made the order acts ”.”.

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#### Commencement Information

**I41** [Sch. 1 para. 41](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

#### *The Government Annuities Act 1929 (c. 29)*

**42** In section 48(1) (power to recover in county court) omit the words from “of the district in which the contract” to the end.

#### Commencement Information

**I42** [Sch. 1 para. 42](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

#### *The Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 (c. 13)*

**43** Omit section 42 (abolition of town courts).

#### Commencement Information

**I43** [Sch. 1 para. 43](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

#### *The Water Supplies and Sewerage Act (Northern Ireland) 1945 (c. 17)*

**44** In section 16(1) (interpretation) omit the definition of “County Court”.

#### Commencement Information

**I44** [Sch. 1 para. 44](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

#### *The Agriculture Act (Northern Ireland) 1949 (c. 2)*

**45** In section 17 (appeals) omit—

- (a) in subsection (1) the words “having jurisdiction for the area in which the land to which the notice relates is situate”;
- (b) subsection (3).

#### Commencement Information

**I45** [Sch. 1 para. 45](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

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*The Maintenance Orders Act 1950 (c. 37)*

**46.—**(1) In section 17(1)(b) (registration of maintenance orders) omit “acting for the same petty sessions district as the court which made the order”.

(2) In section 22(1J)(a) (discharge and variation of maintenance orders) omit the words from “and as if” to the end.

**Commencement Information**

**I46** Sch. 1 para. 46 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Foyle Fisheries Act (Northern Ireland) 1952 (c. 5)*

**47.—**(1) In section 6 (deposit of certain documents) for paragraphs (a) and (b) substitute—

“(a) with the chief clerk and clerk of petty sessions; and”.

(2) In section 55(11) omit the words from “sitting for the petty sessions district” to the end.

(3) In section 64 (disposal of things seized) omit “sitting for the petty sessions district in which it was seized”.

**Commencement Information**

**I47** Sch. 1 para. 47 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Interpretation Act (Northern Ireland) 1954 (c. 33)*

**48.—**(1) Section 42 (definitions for judicial purposes) is amended as follows.

(2) In subsection (1) in the definition of “county court” omit “for a division”.

(3) Omit subsection (2).

**Commencement Information**

**I48** Sch. 1 para. 48 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Summary Jurisdiction and Criminal  
Justice Act (Northern Ireland) 1958 (c. 9)*

**49** In section 16(2) for the words from “clerk of the petty sessions district” to the end substitute “ clerk of petty sessions ”.

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#### Commencement Information

**I49** Sch. 1 para. 49 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Coroners Act (Northern Ireland) 1959 (c. 15)*

**50.**—(1) In section 18 (jury to be summoned in certain cases) for subsection (3) substitute—

“(3) In subsection (1) the reference to the Juries Officer is a reference to the Juries Officer for the division which includes the place specified by the coroner under that subsection; and “Juries Officer” and “division” have the same meanings as in the Juries (Northern Ireland) Order 1996.”.

(2) In section 31(2) (verdicts)—

- (a) omit “county court”;
- (b) at the end add “; and in this subsection “Juries Officer” and “division” have the same meanings as in the Juries (Northern Ireland) Order 1996.”.

#### Commencement Information

**I50** Sch. 1 para. 50 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The County Courts Act (Northern Ireland) 1959 (c. 25)*

**51** In section 102 (appointment and assignment of judges)—

- (a) in subsection (3) for “for any division” substitute “in any county court”;
- (b) in subsection (4) for “shall assign one or more judges to each division” substitute “may assign a judge to one or more division”;
- (c) in subsection (6) at the end add “and “division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for all or the residual purposes of a county court.”.

#### Commencement Information

**I51** Sch. 1 para. 51 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Northern Ireland Act 1962 (c. 3)*

**52** In section 29(1) (interpretation) omit the definition of “county court”.

**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Commencement Information

**I52** Sch. 1 para. 52 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962 (c. 13)*

**53** In section 13(4)(b) (licences, etc.) omit the words from “for the division in which are situated” to the end.

#### Commencement Information

**I53** Sch. 1 para. 53 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Electoral Law Act (Northern Ireland) 1962 (c. 14)*

**54** In section 110(2) (recovery of sums) omit the words from “acting for” to “was arrested”.

#### Commencement Information

**I54** Sch. 1 para. 54 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Caravans Act (Northern Ireland) 1963 (c. 17)*

**55.—(1)** In section 7(1) (appeal against conditions of site licence) for “the court of summary jurisdiction acting for the petty sessions district in which the land is situated” substitute “a court of summary jurisdiction”.

**(2)** In section 8(2) (appeal against alteration of site licence) for “the court of summary jurisdiction acting for the petty sessions district in which the land to which the site licence relates is situated” substitute “a court of summary jurisdiction”.

#### Commencement Information

**I55** Sch. 1 para. 55 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Agricultural Marketing Act (Northern Ireland) 1964 (c. 13)*

**56** In section 13(5) (appeals) omit the words from “for any division” to the end.

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#### Commencement Information

**I56** Sch. 1 para. 56 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Magistrates' Courts Act (Northern Ireland) 1964 (c. 21)*

**57.—**(1) Omit section 3 (justices of the peace).

(2) In section 9 (appointment and assignment of district judges (magistrates' courts))—

- (a) in subsection (4) for “in any petty sessions district” substitute “in any magistrates' court”;
- (b) in subsection (5) for “petty sessions districts” substitute “divisions”;
- (c) at the end add—

“(6) In subsection (5) “division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for all or the residual purposes of a magistrates' court.”.

#### Commencement Information

**I57** Sch. 1 para. 57 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Fisheries Act (Northern Ireland) 1966 (c. 17)*

**58.—**(1) In section 170 (appointment of private water bailiffs)—

- (a) in subsection (2) omit the words from “sitting for” to the end;
- (b) in subsection (5) for the words from “within the petty sessions district” to “district is one, the court” substitute “a court of summary jurisdiction”;
- (c) in subsection (5A) omit the words from “for the petty sessions district” to the end.

(2) In section 180 (disposal of things seized) omit the words from “sitting for the petty sessions district” to “was seized”.

(3) In section 188 (offences at sea)—

- (a) in subsection (1) for the words from the beginning to “in that district” substitute “The jurisdiction of any court of summary jurisdiction or lay magistrate” and omit “within that district”;
- (b) in subsection (2) for the words “any resident magistrate or justice of the peace” substitute “lay magistrate” and omit the words “within the petty sessions district for which that court sits or in which that magistrate or justice has authority”.



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(4) In section 197(1) omit “for the petty sessions district in which that person resides, or in which the offence was committed”.

(5) In Schedule 5A (renewal of appointment of private water bailiff) in paragraph 5 in the definition of “the court” omit the words from “sitting for the petty sessions district” to the end.

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**Commencement Information**

**I58** [Sch. 1 para. 58](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

*The Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35)*

**59** In section 11(2)(b) (registration of orders) omit “acting for the petty sessions district in which the defendant appears to be”.

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**Commencement Information**

**I59** [Sch. 1 para. 59](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

*The Medicines Act 1968 (c. 67)*

**60** In Schedule 3 (sampling) in paragraph 28(2) omit the words from “for the district” to the end.

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**Commencement Information**

**I60** [Sch. 1 para. 60](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

*The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29)*

**61** In section 21 (suspended sentences)—

- (a) in subsection (1) omit the words from “having jurisdiction in the county court division” to “he is convicted”;
- (b) in subsection (3) omit “having jurisdiction in the place where he is arrested”.

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**Commencement Information**

**I61** [Sch. 1 para. 61](#) in operation at 31.10.2016 by [S.R. 2016/387](#), [art. 2\(k\)](#) (with [art. 3](#))

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)*

- 62.**—(1) In section 178 (assessors for county court)—
- (a) in subsection (1) omit “appropriate”;
  - (b) in subsection (4) omit the definition of “appropriate lay magistrate”.
- (2) In Schedule 2 (constitution of juvenile court)—
- (a) in paragraph 3(1) omit the words from “for the county court division” to “adjoins that county court division”;
  - (b) omit paragraph 7;
  - (c) omit paragraph 8(b).

**Commencement Information**

**I62** Sch. 1 para. 62 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)*

**63** In section 67(6)(a) (dissolution of society) omit “for the district where the registered office of the society is situate”.

**Commencement Information**

**I63** Sch. 1 para. 63 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Immigration Act 1971 (c. 77)*

- 64.**—(1) In section 25D (detention of ship, aircraft or vehicle) in subsection (6) for paragraph (c)(i) and (ii) substitute—
- “(i) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;”.
- (2) In section 28K (execution of warrant) in subsection (9)(b) omit “for the petty sessions district in which the premises are situated”.
- (3) In Schedule 2 (control on entry)—
- (a) in paragraph 24(2)(a) omit “acting for the petty sessions area in which he is arrested”;
  - (b) in paragraph 33(2)(a) omit “acting for the petty sessions area in which he is arrested”.
- (4) In Schedule 3 (deportation)—

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- (a) in paragraph 6(3)(b) omit “acting for the county court division where the person to whom the application relates resides”;
- (b) in paragraph 8(1) omit “for the petty sessions district in which he was arrested”.

**Commencement Information**

**I64** Sch. 1 para. 64 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Civil Evidence Act (Northern Ireland) 1971 (c. 36)*

**65** In section 8(5) (findings of adultery and paternity as evidence in civil proceedings)—

- (a) in the definition of “matrimonial proceedings” omit “divorce”; and
- (b) omit the words “ “divorce county court” has the same meaning as in the Matrimonial Causes (Northern Ireland) Order 1978 and”.

**Commencement Information**

**I65** Sch. 1 para. 65 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

**66.**—(1) In section 9(1ZB)(b) (variation and revocation of registered orders) omit the words from “and as if” to the end.

(2) Omit section 17(4) (proceedings in magistrates' courts).

(3) In section 18(2) (rules) after “subsection (1) above” insert “ (other than paragraph (a)) ”.

(4) In section 26(6)(b) (applications for recovery) for the words from “of the court” to the end substitute “ of petty sessions ”.

(5) In section 28D (sending applications)—

- (a) in subsection (1) omit “acting for the petty sessions district in which the respondent is residing”;
- (b) omit subsections (4) and (5).

(6) Omit section 47(3) (interpretation).

**Commencement Information**

**I66** Sch. 1 para. 66 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*The Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14)*

**67** In Schedule 6 (removal to suitable premises), in paragraph 1 for the words from “apply to the court of summary jurisdiction” to the end substitute “ apply to a court of summary jurisdiction for an order under paragraph 2 ”.

**Commencement Information**

**I67** Sch. 1 para. 67 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Drainage (Northern Ireland) Order 1973 (NI 1)*

**68** In Schedule 5 (duties of occupiers), in paragraph 6(d) omit the words from “for the division” to “is situate”.

**Commencement Information**

**I68** Sch. 1 para. 68 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Consumer Credit Act 1974 (c. 39)*

- 69.**—(1) In section 140B (powers of court) omit subsection (7).  
 (2) In section 143 (jurisdiction of county court) omit paragraphs (a) and (b).

**Commencement Information**

**I69** Sch. 1 para. 69 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Friendly Societies Act 1974 (c. 46)*

**70.**—(1) In section 93(3) (dissolution) for the words from “make an application” to “county court or sheriff” substitute “ make an application to the county court, and on any such application the county court ”.

- (2) Omit section 102 (jurisdiction of magistrates' courts in Northern Ireland).

**Commencement Information**

**I70** Sch. 1 para. 70 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Treatment of Offenders (Northern Ireland) Order 1976 (NI 4)*

**71** In Article 5 (liability to be dealt with)—

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- (a) in paragraph (1)(b) omit the words from “having jurisdiction in the county court division” to “was convicted”;
- (b) in paragraph (2)(b) omit “acting for the same county court division as that court”.

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**Commencement Information**

I71 Sch. 1 para. 71 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Damage (Compensation)(Northern Ireland) Order 1977 (NI 14)*

72 In Article 2 (interpretation) omit paragraph (3).

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**Commencement Information**

I72 Sch. 1 para. 72 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Rates (Northern Ireland) Order 1977 (NI 28)*

73 In Article 32(3) (recovery of rates) omit the words from “having jurisdiction” to the end.

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**Commencement Information**

I73 Sch. 1 para. 73 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Judicature (Northern Ireland) Act 1978 (c. 23)*

- 74.—(1) Omit section 103 (justices of the peace).
- (2) In section 120(1) (interpretation)—
- (a) in the definition of “county court” omit “for a division”;
  - (b) in the definition of “division” omit the words in brackets.
- (3) In Schedule 6 (transitional provisions), omit paragraph 8.

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**Commencement Information**

I74 Sch. 1 para. 74 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Interpretation Act 1978 (c. 30)*

**75** In Schedule 1 (definitions), in paragraph (b) of the definition of “county court”, omit “for a division”.

**Commencement Information**

**I75** Sch. 1 para. 75 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Matrimonial Causes (Northern Ireland) Order 1978 (NI 15)*

**76.—**(1) In Article 2(2) (interpretation) omit the definition of “divorce county court”.

(2) In Article 35(4) (order for repayment of sums paid under certain orders) omit the words from “and, accordingly” to the end.

(3) In Article 37(3) (alteration of agreements) omit the words from “and at least” to “for which the court acts”.

(4) In Article 38(1) (alteration of agreements after death) omit the words from “and, accordingly” to the end.

(5) In Article 40(3) (orders for repayment of certain sums) omit the words from “and, accordingly” to the end.

(6) In Article 48 (the court)—

(a) in paragraph (1) for sub-paragraph (b) substitute—

“(b) a county court.”;

(b) omit paragraphs (1A), (1B) and (2);

(c) in paragraph (3) omit “If an order is made under paragraph (1),”;

(d) in paragraphs (3)(a) and (c) omit “divorce” (wherever occurring);

(e) in paragraph (4) omit “divorce” and “which is exercisable by county courts generally”;

(f) in paragraph (5) omit “If an order is made under paragraph (1),” and “divorce” (wherever occurring);

(g) in paragraph (8) omit “divorce”;

(h) in paragraph (9) omit “divorce”.

**Commencement Information**

**I76** Sch. 1 para. 76 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Protection of Children (Northern Ireland) Order 1978 (NI 17)*

77.—(1) In Article 4(1) (entry, search and seizure) omit “in the petty sessions district for which he acts”.

(2) In the Schedule (forfeiture proceedings) in paragraph 12 omit the words from “for the petty sessions district” to the end.

**Commencement Information**

I77 Sch. 1 para. 77 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Inheritance (Provision for Family and Dependents) (Northern Ireland) Order 1979 (NI 8)*

78.—(1) In Article 2(2) (interpretation) omit the definitions of “civil partnership proceedings county court” and “divorce county court”.

(2) In Article 17(1) (restriction imposed on divorce proceedings) omit “divorce” in the second place where it occurs.

(3) In Article 17ZA (restriction imposed on civil partnership proceedings) omit “civil partnership proceedings”.

**Commencement Information**

I78 Sch. 1 para. 78 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Administration of Estates (Northern Ireland) Order 1979 (NI 14)*

79 In Article 12(1) (jurisdiction of county court) omit “for the division in which the deceased, at the time of his death, had a fixed place of abode”.

**Commencement Information**

I79 Sch. 1 para. 79 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The County Courts (Northern Ireland) Order 1980 (NI 3)*

80.—(1) In Article 2(2) (interpretation)—

(a) for the definition of “chief clerk” substitute—

““chief clerk” means an officer of the Department designated as such by the Department;”

(b) in the definition of “court” omit “for a division”;

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- (c) after the definition of “defendant” insert—
  - ““the Department” means the Department of Justice;”;
- (d) for the definition of “division” substitute—
  - ““division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for any purposes of a county court;”.
- (e) in the definition of “the Office” omit “for the division in which those proceedings are taken”.
- (2) In Article 3 (county courts)—
  - (a) in the heading omit “**to be held for divisions**”;
  - (b) omit paragraph (1);
  - (c) for paragraphs (2) to (4) substitute—
    - “(2) A court shall be held at such place or places in each division as may be specified in directions given under Article 4.
    - (3) A court held under paragraph (2) shall—
      - (a) be called a county court and be a court of record; and
      - (b) have throughout Northern Ireland the jurisdiction and powers conferred on a county court by this Order or any other statutory provision.”.
- (3) In Article 4 (directions of Lord Chief Justice) omit paragraph (d).
- (4) In Article 6 (holding of ordinary courts)—
  - (a) in paragraph (1)(a) for “for each division” substitute “ in each division ”; and
  - (b) omit paragraph (2).
- (5) In Article 8 (adjournments) omit paragraphs (5) to (8).
- (6) In Article 10 (general civil jurisdiction) omit paragraphs (3) and (3A).
- (7) In Article 21(1) (transfer of certain money from High Court to county court) for “the county court of the division in which that person resides or such other” substitute “ such ”.
- (8) In Article 25 (transfer from one county court to another) omit paragraph (2).
- (9) In Article 34(2) (powers of county court) for the words from the beginning to “in his division” substitute “ A judge shall have jurisdiction in any proceedings pending in a county court ”.
- (10) In Article 63 (cases stated)—
  - (a) in paragraph (1)(a) omit “having jurisdiction in the county court division in which the county court sat”;



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- (b) in paragraph (7) for “the resident magistrate or justice of the peace who fixed the amount of the recognisance or any other resident magistrate or justice of the peace having jurisdiction in the place where the recognisance was taken” substitute “a district judge (magistrates' courts) or lay magistrate” and omit “for the county court division in which the recognisance was taken”.

#### Commencement Information

**I80** Sch. 1 para. 80 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Domestic Proceedings (Northern Ireland) Order 1980 (NI 15)*

- 81.**—(1) In Article 29 (case more suitable for High Court) omit the words “acting for the same petty sessions district as the first-mentioned court”.
- (2) In Article 30 (powers of High Court and county court)—
- (a) in paragraph (1) omit “divorce”;
  - (b) in paragraph (2) omit “(whether or not it is a divorce county court)”;
  - (c) omit paragraph (3).
- (3) In Article 32(1) (jurisdiction)—
- (a) omit “and without prejudice to Article 77(3) of the Magistrates' Court (Northern Ireland) Order 1981”;
  - (b) omit the words from “if at the date of the making of the order” to the end.
- (4) In Article 34(1) (constitution of courts) omit “acting for the same petty sessions district as that court”.

#### Commencement Information

**I81** Sch. 1 para. 81 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Betting and Gaming Duties Act 1981 (c. 63)*

- 82** In Schedule 1 (betting duties) in paragraph 15(5) omit “situated in the same petty sessions district as those premises”.

#### Commencement Information

**I82** Sch. 1 para. 82 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*The Road Traffic (Northern Ireland) Order 1981 (NI 1)*

**83.**—(1) In Article 7(1) (review of test) omit “acting for the petty sessions district in which he resides”.

(2) In Article 16(1) (driving licence appeals) omit “acting for the petty sessions district in which he resides”.

(3) In Article 76(1) (vehicle licence appeals) omit “acting for the petty sessions district in which the holder of or applicant for the licence resides”.

(4) In Article 79A(5) (taxi driver's licence appeals) omit “acting for the petty sessions district in which he resides”.

**Commencement Information**

**183** Sch. 1 para. 83 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)*

**84.**—(1) In Article 2(2) (interpretation) omit the definition of “appropriate county court”.

(2) In Article 6(c) (judgments to which Order does not apply) omit “divorce” and “civil partnership proceedings”.

(3) In Article 17(6) (limitation on enforcement) for the words from “means” to the end substitute “means—

(a) where the judgment was given by a county court, any county court,

(b) where the judgment was given by a court of summary jurisdiction, any court of summary jurisdiction,

(c) in any other case, the court by which the judgment was given.”.

(4) In Articles 52(1) and (3) (order charging land) omit “appropriate”.

(5) In Article 96A (maintenance orders) in paragraphs (1), (3)(a), (7) and (9) for “divorce county court or civil partnership proceedings county court” (wherever occurring) substitute “county court”.

(6) In Article 98(a)(ii) (attachment of earnings order) omit “divorce” and “civil partnership proceedings”.

(7) In Article 107(1)(c) (committal for default) omit “divorce” and “civil partnership proceedings”.

(8) In Article 110(c) (appeal from committal order) omit “appropriate”.

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#### Commencement Information

**I84** Sch. 1 para. 84 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (NI 8)*

#### **85.—**(1) In Article 28 (free legal aid)—

- (a) in paragraph (4)(a) omit “for the relevant petty sessions district”;
- (b) in paragraph (5) for “any court acting for the relevant petty sessions district” substitute “ a court of summary jurisdiction ”.

#### (2) In Article 30 (free legal aid on appeal)—

- (a) in paragraph (1) omit “acting for the same petty sessions district” and “acting for that district”;
- (b) in paragraph (2)(b) omit “for the relevant petty sessions district”.

(3) In Article 39 (interpretation) omit the definition of “relevant petty sessions district”.

#### Commencement Information

**I85** Sch. 1 para. 85 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)*

#### **86.—**(1) In Article 2(3) (definitions)—

- (a) omit the definitions of “chief clerk” and “county court division”;
- (b) after the definition of “decree” insert—  
““the Department” means the Department of Justice;”.

#### (2) For Article 2 (4) (references to officers of the court) substitute—

“(4) References in this Order—

- (a) to chief clerks and to clerks of petty sessions are references to officers of the Department designated as such by the Department;
- (b) to clerks of petty sessions include references to officers of the Department designated by the Department as assistant or deputy clerks of petty sessions.”.

(3) Omit Article 4 (local jurisdiction of justices of the peace).

(4) For Article 11 and the Part heading immediately above it substitute

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## “PART 3 N.I.”

### THE HOLDING OF PETTY SESSIONS

#### *Petty sessions*

**11.—**(1) Sessions for the holding of courts of summary jurisdiction shall continue to be known as petty sessions and are so referred to in this Order.

(2) The Lord Chief Justice may give directions as to—

- (a) the places at which petty sessions are to be held;
- (b) the days on which petty sessions are to be regularly held;
- (c) the ordinary hours of sitting of courts of summary jurisdiction;
- (d) such other incidental, consequential, transitional or supplementary matters as appear to the Lord Chief Justice to be necessary or proper.”.

(5) For Article 16 substitute—

#### *“General jurisdiction to deal with charges*

**16.—**(1) A magistrates' court has jurisdiction—

- (a) to conduct a preliminary inquiry or a preliminary investigation into any indictable offence;
- (b) to hear and determine a complaint charging any summary offence.

(2) A district judge (magistrates' courts) exercising the powers conferred by Article 45 and 46 has jurisdiction to try summarily any indictable offence.

(3) References above to offences are to offences, wherever committed, which are cognisable under the law of Northern Ireland.”.

(6) Omit Article 17 (offences committed on boundaries, etc.).

(7) In Article 18(4)(b) (summary trial) omit the words “sitting for the petty sessions district for which the resident magistrate or lay magistrate acted”.

(8) For Article 20 substitute—

#### *“Issue of summons to accused or warrant for his arrest*

**20.—**(1) On a complaint being made to a lay magistrate that a person has, or is suspected of having, committed a summary offence, the lay magistrate may issue a summons directed to that person requiring him to appear before a magistrates' court to answer to the complaint.

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(2) On a complaint being made to a lay magistrate that a person has, or is suspected of having, committed an indictable offence, the lay magistrate may either—

- (a) issue a summons requiring him to appear before a magistrates' court;  
or
- (b) issue a warrant to arrest that person and bring him before a magistrates' court

(3) Where the offence charged in the complaint is an indictable offence, a warrant under this Article may be issued by a lay magistrate at any time notwithstanding that a summons has previously been issued and whether before or after the time mentioned in such summons for the appearance of the person summoned.

(4) Where a lay magistrate is satisfied that a summons issued under paragraph (1) has not been served, the lay magistrate may, without a complaint being made to him, re-issue the summons extending the time for the appearance of the person summoned.

(5) Where a district judge (magistrates' courts) is satisfied that a person suspected of having committed a summary offence cannot for any reason be served with a summons, the district judge (magistrates' courts) may issue a warrant for the arrest of that person notwithstanding that a summons has not been first issued.

(6) A warrant may be issued in respect of any offence notwithstanding that the offence was committed outside Northern Ireland if an indictment for the offence may legally be preferred in Northern Ireland.

(7) A warrant shall not be issued under this Article unless the complaint is in writing and substantiated on oath.”.

(9) In Article 32(1)(a) (documents) omit “for the district in which the preliminary inquiry is to be held”.

(10) Omit Article 36 (adjournment of committal proceedings).

(11) In Article 47 (remands)—

- (a) in paragraph (1)(a) omit “for the county court division for which the court is acting or before any other magistrates' court having jurisdiction to conduct the proceedings”;
- (b) in paragraph (4E)(a) for the words from “the magistrates' court which” to the end substitute “a magistrates' court”;
- (c) in paragraph (4F) for the words from “the magistrates' court which” to the end substitute “a magistrates' court”.

(12) In Article 52 (sentencing of person convicted by another court) omit the words from “acting for the same petty sessions district” to the end.

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- (13) In Article 72 (issue of process) in paragraphs (1) and (2) omit the words from “acting for the petty sessions district” to the end.
- (14) In Article 75 (transfer to county court) omit paragraph (3).
- (15) In Article 77 (jurisdiction on civil complaint) omit paragraph (3).
- (16) In Article 79 (issue of summons) omit “for a county court division” and “sitting for that county court division”.
- (17) In Article 85(4) (orders for periodic payment) omit the words from “of the petty sessions district” to the end.
- (18) In Article 85A (proceedings by collection officer)—
- (a) in paragraphs (1), (2) and (3) omit “of the relevant court”;
  - (b) in paragraph (4)(a) omit “of a relevant court”;
  - (c) in paragraph (7) omit the definition of “the relevant court”.
- (19) In Article 85B (breach of maintenance order)—
- (a) in paragraph (1) omit “for the county court division which includes the petty sessions district for which the relevant court is acting”;
  - (b) in paragraph (2) for “the relevant court” (twice) substitute “ a court of summary jurisdiction ”;
  - (c) in paragraph (3) for “relevant court” substitute “ court of summary jurisdiction ”;
  - (d) in paragraph (5) omit the definition of “the relevant court”.
- (20) In Article 96(1) (transfer of fines) omit “in a petty sessions district” and “acting for that district”.
- (21) In Article 98 (enforcement: periodical payments)—
- (a) in paragraph (1)(a) omit “acting for the same petty sessions district as the court which made the order”;
  - (b) in paragraph (1)(b) omit the words from “acting for the same petty sessions district” to the end.
- (22) In Article 99 (enforcement: other payments)—
- (a) in paragraph (1)(a) omit “acting for the same petty sessions district as the court which made the order”;
  - (b) in paragraph (1)(b) omit the words from “acting for the same petty sessions district” to the end.
- (23) In Article 112 (enforcement: other orders)—
- (a) in paragraph (3)(a) omit “acting for the same petty sessions district as the court which made the order”;
  - (b) in paragraph (3)(b) omit the words from “acting for the same petty sessions district” to the end;

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(c) omit paragraph (7).

(24) In Article 113(7) (review of commitment) omit the words from “sitting for” to the end.

(25) In Article 127(3) (power to bind over) omit the words from “where the person” to the end.

(26) In Article 128(1) (discharge of recognizances) omit the words from “having jurisdiction either<sup>3</sup>/<sub>4</sub>” to the end of sub-paragraph (b).

(27) In Article 144 (procedure on appeal)—

(a) in paragraph (2A) omit “having jurisdiction in the county court division in which the magistrates' court sat”;

(b) in paragraph (3) omit “having jurisdiction in the county court division in which the magistrates' court sat”.

(28) In Article 148(1) (bail on appeal) omit “having jurisdiction in the petty sessions district for which the court acted”.

(29) In Article 149(1) (recognizance to prosecute appeal) omit “having jurisdiction in the petty sessions district for which that court acted”.

(30) In Article 151(1) (estreat of recognizance) omit the words from “acting for the same petty sessions district” to “case was stated”.

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**Commencement Information**

**186** Sch. 1 para. 86 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Civil Jurisdiction and Judgments Act 1982 (c. 27)*

**87.—**(1) Omit section 15(3) (interpretation).

(2) In section 36(4)(b) (registration of maintenance orders), in the substituted section 13(5A)(a), omit the words from “and as if” to the end.

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**Commencement Information**

**187** Sch. 1 para. 87 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Justice Act 1982 (c. 48)*

**88** In Schedule 13 (community service orders - reciprocal arrangements)—

(a) in paragraph 7(2)(a) omit “acting for a petty sessions district in Northern Ireland for the time being specified in it”;

(b) in paragraph 8(2)(a) omit “acting for a petty sessions district in Northern Ireland for the time being specified in it”.

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#### Commencement Information

**I88** Sch. 1 para. 88 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Probation Board (Northern Ireland) Order 1982 (NI 10)*

**89** In Article 5(1) (appointment of probation officers)—

- (a) in sub-paragraph (a) omit “and assign one or more to each petty sessions district or districts”;
- (b) in sub-paragraph (b) omit “in any petty sessions district”.

#### Commencement Information

**I89** Sch. 1 para. 89 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Video Recordings Act 1984 (c. 39)*

**90** Omit section 16D (extension of jurisdiction of magistrates' courts in Northern Ireland).

#### Commencement Information

**I90** Sch. 1 para. 90 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 (NI 11)*

**91.—(1)** In Article 15(10) (form and duration of licence) for the words from “upon” to “situated” substitute “upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the bookmaker's licence was granted, or as the case may be, the licensed office is situated;”.

(2) In Article 26 (temporary continuance of business) omit paragraph (3).

(3) In Article 66(9) (form and duration of new bingo club licence) for the words from “upon” to “situated” substitute “upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the bingo club premises are situated;”.



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(4) In Article 86(9) (form and duration of new gaming machine certificates) for the words from “upon” to “situated” substitute “upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the premises in which the business is carried on are situated;”.

(5) In Article 143(7) (form and duration of new lottery certificates) for the words from “upon” to “situated” substitute “upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the premises in which the business is carried on are situated;”.

(6) In Article 173 (notification of change of directors) for the words from “upon” to “situated” substitute “upon—

- (a) the clerk of petty sessions; and
- (b) the district commander of the police district in which the licence, certificate or permit was granted or, in the case of a bookmaking office licence, in which the licensed office is situated.”.

(7) In Article 174 (register of licences, certificates, etc.)—

- (a) in paragraph (1) for “Each clerk of petty sessions shall keep” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) ” and for the words from “granted” to the end substitute “ granted by a county court or a court of summary jurisdiction ”;
- (b) in paragraph (2) for the words from the beginning to “record” substitute “ There shall be recorded ”;
- (c) in paragraph (3) for the words from the beginning to “keep” substitute “ The Department of Justice shall also cause to be kept ” and in subparagraph (a) omit “by him”;
- (d) omit paragraph (4).

(8) In Article 175 (register of clubs)—

- (a) in paragraph (1) for the words from the beginning to “petty sessions district” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs ”;
- (b) in paragraph (2) for the words from the beginning to “record” substitute “ There shall be recorded ”.
- (c) omit paragraph (3).

(9) In Article 177 (returns to the Department)—

- (a) for the words from the beginning to “a statement” substitute “ The Department of Justice shall, in respect of each such period as the

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Department may specify, arrange for a statement to be sent to the Department ”;

(b) in paragraph (a) for the words from “granted” to the end substitute “granted by a county court or court of summary jurisdiction ”;

(c) in paragraph (b) omit “having premises within that district”.

(10) In Article 178(1) (registers as evidence) omit “kept by him”.

(11) In Article 179(2) (proof of licence) omit the words from “for the petty sessions district in which” to “club is registered”.

(12) In Schedule 1 (applications for grant of bookmakers' licence) omit paragraph 1.

(13) In Schedule 3 (applications for renewal of bookmakers' licence)—

(a) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 2(1) omit “for the petty sessions district”.

(14) In Schedule 4 (applications for renewal of bookmaking office licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

(15) In Schedule 10 (applications for renewal of bingo club licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”.

(16) In Schedule 12 (applications for renewal of gaming machine licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

(17) In Schedule 17 (applications for renewal of lottery licence) in paragraph 1 for the words from the beginning to “petty sessions district” substitute “ The Department of Justice ” and for “in the district” substitute “ throughout Northern Ireland ”.

#### Commencement Information

**191** Sch. 1 para. 91 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Credit Unions (Northern Ireland) Order 1985 (NI 12)*

**92** In Article 70(6)(a) (dissolution of credit union) omit “for the division in which the registered office of the credit union is situated”.

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#### Commencement Information

**I92** Sch. 1 para. 92 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 (NI 15)*

**93.**—(1) In Schedule 1 (licensing of places of entertainment), in paragraph 13(1) omit “for the county court division in which the place is situated”.

(2) In Schedule 2 (licensing of sex establishments)—

- (a) in paragraph 26(1) omit “for the relevant county court division”;
- (b) in paragraph 26(4) omit the definition of “the relevant county court division”.

#### Commencement Information

**I93** Sch. 1 para. 93 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Mental Health (Northern Ireland) Order 1986 (NI 4)*

**94.**—(1) Schedule 2A (supervision and treatment orders) is amended as follows.

(2) In paragraph 3(1) for head (b) substitute—

“(b) require him to be under the supervision of a probation officer.”.

(3) Omit paragraph 3(4).

(4) In paragraph 7 for sub-paragraph (1) substitute—

“(1) This paragraph applies where—

- (a) a supervision and treatment order is in force in respect of any person;
- (b) that order requires the supervised person to be under the supervision of a social worker of an authorised HSC trust; and
- (c) a court of summary jurisdiction is satisfied that the supervised person proposes to change, or has changed, his residence to the area of another authorised HSC trust.”.

(5) In paragraph 7(2) for the words from “or as the case may be” to the end substitute “for the area specified in the order”.

(6) In paragraph 7(3) omit “or, as the case may be, district” and “or district”.

(7) In paragraph 8(1) omit “for the petty sessions district concerned”.

(8) In paragraph 9(1) omit “for the petty sessions district concerned”.

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(9) In paragraph 11 for sub-paragraph (1) substitute—

“(1) On the making under paragraph 7 or 8 of an order amending a supervision and treatment order, the clerk of petty sessions shall forthwith give copies of the amending order to the supervising officer.”.

**Commencement Information**

**I94** Sch. 1 para. 94 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Adoption (Northern Ireland) Order 1987 (NI 22)*

**95.**—(1) In Article 2(2) (interpretation) in the definition of “authorised court”—

(a) in paragraph (b)(ii) omit “within whose division the applicant lives”;

(b) in paragraph (c) for sub-paragraphs (ii) and (iii) substitute—

“(ii) the county court;”.

(2) In Article 52(1) (amendment of orders) for “a county court held for the same division” substitute “any other county court”.

(3) In Article 55(3) (revocation of adoptions on legitimation) for “a court held for the same division” substitute “any other county court”.

**Commencement Information**

**I95** Sch. 1 para. 95 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI 4)*

**96** In Article 40(1) (the court) omit sub-paragraph (a).

**Commencement Information**

**I96** Sch. 1 para. 96 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)*

**97.**—(1) In Article 18(10A)(a) (execution of warrants) omit “for the petty sessions district in which the magistrate was acting when he issued the warrant”.

(2) In Article 47 (detention after charge) for paragraphs (2) to (4) substitute—

“(2) He shall be brought before a magistrates' court as soon as is practicable and in any event not later than the day next following the day on which he is charged.

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(3) Where the day next following the day on which he is charged with the offence is Christmas Day, Good Friday or a Sunday, he shall be brought before a magistrates' court not later than the next following day which is not one of those days.”.

**Commencement Information**

**I97** Sch. 1 para. 97 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Human Fertilisation and Embryology Act 1990 (c. 37)*

**98** In section 30(8)(c) (parental orders in favour of gamete donors) for “any county court within whose jurisdiction the child is” substitute “ a county court ”.

**Commencement Information**

**I98** Sch. 1 para. 98 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Justice Act 1991 (c. 53)*

**99** In Schedule 3 (reciprocal enforcement of certain orders) in paragraph 10(2) (a) omit “acting for the petty sessions district in Northern Ireland for the time being specified in the order”.

**Commencement Information**

**I99** Sch. 1 para. 99 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Road Traffic (Amendment) (Northern Ireland) Order 1991 (NI 3)*

**100** In Schedule 2 (existing licences) in paragraph 6(1) omit “acting for the petty sessions district in which the holder of the licence resides”.

**Commencement Information**

**I100** Sch. 1 para. 100 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Friendly Societies Act 1992 (c. 40)*

**101** Omit section 110 (jurisdiction of magistrates' courts in Northern Ireland)

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#### Commencement Information

**I101** Sch. 1 para. 101 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Tourism (Northern Ireland) Order 1992 (NI 3)*

**102** In Article 19(1) (appeals) omit “for the county court division in which that establishment is situated”.

#### Commencement Information

**I102** Sch. 1 para. 102 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Family Law (Northern Ireland) Order 1993 (NI 6)*

**103** In Article 12(3)(g) (family proceedings rules) for “divorce county court or civil partnership proceedings county court” substitute “ county court ”.

#### Commencement Information

**I103** Sch. 1 para. 103 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Disability Discrimination Act 1995 (c.50)*

**104.**—(1) In section 38 (appeal against refusal of exemption certificate)—

- (a) in subsection (1) for “the appropriate court” substitute “ a court of summary jurisdiction ”;
- (b) omit subsection (3).

(2) In Schedule 8 (modifications for Northern Ireland) omit paragraph 22(3).

#### Commencement Information

**I104** Sch. 1 para. 104 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Children (Northern Ireland) Order 1995 (NI 2)*

**105.**—(1) In Article 166 (appeals)—

- (a) in paragraph (2)(b) omit “a divorce county court”;
- (b) in paragraph (2)(c) omit “a civil partnership proceedings county court”;

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- (c) in paragraph (4) omit sub-paragraph (a), the word “such” in sub-paragraph (b) and the words after sub-paragraph (b).
- (2) In Schedule 1 (financial provision for children) in paragraph 12(6) omit the words from “and at least one of the parties” to “for which the court sits”.
- (3) In Schedule 7 (jurisdiction) omit—
  - (a) paragraph 1(1)(c);
  - (b) paragraph 4(4) and (7).

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**Commencement Information**

**I105** Sch. 1 para. 105 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Road Traffic (Northern Ireland) Order 1995 (NI 18)*

- 106** In Schedule 1 (supplementary provisions relating to proceedings)—
- (a) in paragraph 1(1) omit “for the county court division in which the proceedings are brought”;
  - (b) omit paragraph 4(3).

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**Commencement Information**

**I106** Sch. 1 para. 106 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Procedure and Investigations Act 1996 (c. 25)*

- 107** Omit section 76 and paragraph 33 of Schedule 4 (powers of magistrates' court).

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**Commencement Information**

**I107** Sch. 1 para. 107 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Juries (Northern Ireland) Order 1996 (NI 6)*

- 108.**—(1) In Article 2(2) (interpretation)—
- (a) for the definition of “division” substitute—
 

““division” means an administrative court division specified under section 2(2)(a) of the Justice Act (Northern Ireland) Act 2015 for all purposes of a county court or, if different administrative court divisions are specified for different purposes of a county court, an administrative

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court division specified under section 2(2)(c) of that Act for the residual purposes of the court;”;

(b) for the definition of “Juries Officer” substitute—

““Juries Officer”, in relation to a division, means such officer of the Department as may be designated by the Department in relation to that division;”.

(2) In Article 4 (preparation of Jurors List)—

(a) in paragraph (8) omit “whether by reference to the area of jurisdiction of any court or courts or otherwise”;

(b) in paragraph (10) omit “whether by reference to the area of jurisdiction of any court or courts or otherwise”.

(3) In Article 5 (selection of names) in paragraph (5) for sub-paragraph (a) substitute—

“(a) a division in which the relevant magistrates' court sat;”.

#### Commencement Information

**I108** Sch. 1 para. 108 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Road Traffic (Offenders) (Northern Ireland) Order 1996 (NI 10)*

**109.**—(1) In Article 2(2) omit the definition of “petty sessions district”.

(2) In Article 36 (reduced disqualification) omit paragraph (6).

(3) In Article 38(2) (interpretation) in the definition of “supervising court” omit the words from “acting for” to the end.

(4) In Article 65(3) (notification of trial) omit the words from “of the county court division” to “is situated”.

(5) In Article 75(3) (registration certificates) omit the words from “for such petty sessions district” to the end.

#### Commencement Information

**I109** Sch. 1 para. 109 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Licensing (Northern Ireland) Order 1996 (NI 22)*

**110.**—(1) In Article 2(2) (interpretation) in the definition of “licensed premises” for “by the clerk of petty sessions” substitute “ under Article 34(2) ”.



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(2) In Article 5(4) (premises for which licence may be granted) omit “by the clerk of petty sessions for the petty sessions district in which the premises are situated”.

(3) In Article 28(3) (temporary continuance) for the words from “upon” to “situated” substitute “upon—

(a) the clerk of petty sessions; and

(b) the district commander of the police district in which the premises are situated;”.

(4) In Article 29(3) (temporary continuance) omit the words from “for the petty sessions district” to the end.

(5) In Article 30(1) (occasional licences) omit the words from “sitting in the county court division” to “includes that place”.

(6) In Article 31(1)(d)(ii) (consent for alterations) omit “for the petty sessions district in which the premises are situated”.

(7) In Article 34 (register of licences) in paragraph (1) for the words before sub-paragraph (a) substitute—

“(1) The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register, in such form as may be prescribed, of licences granted under this Order; and there shall be recorded in the register in respect of each licence—”.

(8) In Article 34(1) omit sub-paragraph (i).

(9) In Article 34(2) for the words from the beginning to “received by him under paragraph (3)” substitute “ The Department of Justice shall also arrange for the keeping of the plans received under ”.

(10) Omit Article 34(3).

(11) In Article 34(4) for “A clerk of petty sessions may make such alterations” substitute “ The Department may cause such alterations to be made ”.

(12) For Article 36 substitute—

#### *“Information for Department*

**36** The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing the number of premises of each of the kinds mentioned in Article 5 having a current licence and containing such other information as the Department may require”.

(13) In Article 37(1) (register as evidence) omit “kept by him”.

(14) In Article 38(2) (proof of licence) for “the clerk of petty sessions for the petty sessions district in which the premises for which a licence was granted are situated” substitute “ a clerk of petty sessions ”.

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**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(15) In Article 69A(1) (closure orders) for “petty sessions district, a court of summary jurisdiction acting for the district” substitute “ place, a court of summary jurisdiction ”.

(16) In Articles 69C(1)(a), 69D(1)(b), 69E and 69F(1), (2), (3) and (4) omit “relevant”.

(17) In Article 69J(4) (interpretation) omit the definition of “relevant court of summary jurisdiction”.

(18) In Article 75 (suspension procedure) in paragraph (3) for sub-paragraphs (a) and (b) substitute “ retain the licence ”.

(19) In Schedule 3 (approval of sites), omit paragraph 4(3).

(20) In Schedule 4 (applications for renewal of licence)—

(a) in paragraph 2 for “clerk of petty sessions for each petty sessions district” substitute “ Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 3 omit “for the petty sessions district in which the premises are situated”.

#### Commencement Information

**1110** Sch. 1 para. 110 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Registration of Clubs (Northern Ireland) Order 1996 (NI 23)*

**111.**—(1) In Article 12 (temporary continuance) omit paragraph (3).

(2) In Article 16 (register of clubs)—

(a) in paragraph (1) for the words from the beginning to “petty sessions district” substitute “ The Department of Justice shall cause to be kept (whether by clerks of petty sessions or otherwise) a register of clubs ”;

(b) in paragraph (2) for “Each clerk of petty sessions shall record” substitute “ There shall be recorded ”;

(c) omit paragraphs (3) and (4);

(d) in paragraph (5) for “A clerk of petty sessions may make such alterations” substitute “ The Department may cause such alterations to be made ”.

(3) In Article 18 (returns to Department) for the words from the beginning to the end of paragraph (a) substitute—

“The Department of Justice shall, in respect of each such period as the Department may specify, arrange for a statement to be sent to the Department showing—

(a) the number of clubs having a current certificate of registration;”.

(4) In Article 19(1) (register as evidence) omit “kept by him”.

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(5) In Article 20(2) (proof of licence) for “the clerk of petty sessions for the petty sessions district in which the club is registered” substitute “ a clerk of petty sessions ”.

(6) In Article 41(1)(a) (notification of alterations) omit “for the petty sessions district in which the premises of the registered club are situated”.

(7) In Article 41A(1) (closure orders) for “petty sessions district, a court of summary jurisdiction acting for the district” substitute “ place, a court of summary jurisdiction ”.

(8) In Articles 41C(1)(a), 41D(1)(b), 41E and 41F(1), (2), (3) and (4) omit “relevant”.

(9) In Article 41J(3) (interpretation) omit the definition of “relevant court of summary jurisdiction”.

(10) In Article 49(2) (procedure in connection with cancellation and disqualification) for sub-paragraphs (a) and (b) substitute “ retain the certificate of registration ”.

(11) In Schedule 3 (renewal of registration)—

(a) in paragraph 2 for “clerk of petty sessions for each petty sessions district” substitute “ Department of Justice ” and for “in that district” substitute “ throughout Northern Ireland ”;

(b) in paragraph 3(b) omit “for the petty sessions district in which the premises of the club are situated”.

#### Commencement Information

**1111** Sch. 1 para. 111 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Criminal Justice (Northern Ireland) Order 1996 (NI 24)*

**112.**—(1) In Article 10 (probation orders) omit paragraphs (2) and (5).

(2) In Article 13 (community service orders)—

(a) in paragraph (6) omit the words from the beginning to “will reside; and”;

(b) in paragraph (8) omit the words from “and the court shall” to the end.

(3) In Article 26(2) (release on licence of sexual offenders) for the words “appointed for or assigned to the petty sessions district within which the offender resides” substitute “ assigned by the Probation Board ”.

(4) In Article 27 (breach of licence conditions)—

(a) in paragraph (2) omit “acting for the petty sessions district in which he resides”;

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- (b) in paragraph (9)(b) omit “acting for the petty sessions district in which the offender resides”;
- (c) omit paragraphs (10) and (11).
- (5) In Schedule 2 (enforcement of certain community orders)—
  - (a) in paragraph 1(1) omit the definition of “the petty sessions district concerned”;
  - (b) in paragraph 2(2)(b)(ii) omit “acting for the petty sessions district concerned”;
  - (c) in paragraph 2(3) omit “having jurisdiction in the place where he is arrested”;
  - (d) in paragraph 7(1) omit “acting for the petty sessions district concerned”;
  - (e) in paragraph 9(1)(a)(i) omit “other than a court acting for the petty sessions district concerned”;
  - (f) omit paragraph 12;
  - (g) in paragraph 13(1) for the words from the beginning to “petty sessions district concerned” substitute “ A court of summary jurisdiction ”;
  - (h) in paragraph 14(1) omit “for the petty sessions district concerned”;
  - (i) in paragraph 15(b) omit “acting for the petty sessions district concerned”;
  - (j) in paragraph 17(2) omit the words from “or substituting a new petty sessions district” to the end;
  - (k) in paragraph 18(1) for the words from “forthwith” to the end substitute “ forthwith give copies of the amending order to the responsible officer ”.

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**Commencement Information**

**I112** Sch. 1 para. 112 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Race Relations (Northern Ireland) Order 1997 (NI 6)*

**113** In Article 54(8) (claims) omit “outside its division”.

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**Commencement Information**

**I113** Sch. 1 para. 113 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Family Homes and Domestic Violence (Northern Ireland) Order 1998 (NI 6)*

**114.**—(1) In Article 34 (jurisdiction) omit—

- (a) paragraph (3)(c); and

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- (b) paragraph (9).
- (2) In Article 39 (appeals)—
  - (a) in paragraph (2)(b) omit “a divorce county court”;
  - (b) in paragraph (2)(c) omit “a civil partnership proceedings county court”;
  - (c) in paragraph (4) omit sub-paragraph (a), the word “such” in sub-paragraph (b) and the words from “and except” to the end;
  - (d) in paragraph (6) omit “a divorce county court” and “a civil partnership proceedings county court”.

#### Commencement Information

**I114** Sch. 1 para. 114 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9)*

- 115.**—(1) In Article 11(1)(a) (notice of charge against child) omit “assigned to the petty sessions district in which the court will sit”.
- (2) In Article 31 (remand to obtain information)—
    - (a) in paragraph (1) omit “acting for the same petty sessions district”;
    - (b) in paragraph (3) omit the words from “acting for the same petty sessions district” to “county court division”.
  - (3) In Article 36B (restrictions on reparation orders) omit paragraph (3).
  - (4) In Article 36ZC (parental compensation orders)—
    - (a) in paragraph (4) omit “which has made a parental compensation order”;
    - (b) omit paragraph (7).
  - (5) In Article 36D (reparation orders)—
    - (a) omit paragraph (1);
    - (b) omit paragraph (3);
    - (c) omit paragraph (5).
  - (6) In Article 36F (restrictions on community responsibility orders) omit paragraph (3).
  - (7) In Article 36I (supplementary provisions on community responsibility orders)—
    - (a) omit paragraph (1);
    - (b) omit paragraph (2);
    - (c) omit paragraph (4).
  - (8) In Article 36K (youth conference orders)—

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(a) omit paragraph (5);

(b) omit paragraph (7).

(9) In Article 38(2)(i) (attendance centre orders) omit “for the petty sessions district in which that child resides or in which the attendance centre specified in the order is situated”.

(10) In Schedule 1A (breach, revocation and amendment of certain orders)—

(a) in paragraph 1(2) omit the words from “acting for the petty sessions district” to the end;

(b) omit paragraph 5(6)(c);

(c) omit paragraph 7(3);

(d) omit paragraph 8(8)(d).

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**Commencement Information**

**I115** Sch. 1 para. 115 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Justice (Northern Ireland) Order 1998 (NI 20)*

**116.**—(1) In Article 9 (drug treatment orders) omit—

(a) paragraph (6);

(b) paragraph (9)(b) and the word “or” immediately before it;

(c) paragraph (10).

(2) In Article 10(9)(b) (periodic review of orders) for the words from “resident magistrate” to the end substitute “district judge (magistrates' courts)”.

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**Commencement Information**

**I116** Sch. 1 para. 116 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Fair Employment and Treatment (Northern Ireland) Order 1998 (NI 21)*

**117** In Article 40(8) (claims) omit “outside its division”.

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**Commencement Information**

**I117** Sch. 1 para. 117 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)*

**118** In Schedule 4 (recovery of contributions), omit paragraph 3(3).

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#### Commencement Information

**I118** Sch. 1 para. 118 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Justice (Northern Ireland) Act 2002 (c. 26)*

- 119.**—(1) Omit section 9 (lay magistrates).  
 (2) In section 90(1A) (subordinate legislation) omit “, 9(4)”.  
 (3) In Schedule 4 (amendments) omit paragraph 17.

#### Commencement Information

**I119** Sch. 1 para. 119 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Company Directors Disqualification (Northern Ireland) Order 2002 (NI 4)*

- 120.**—(1) In Article 5(2)(c) (disqualification on conviction) omit “acting for the same petty sessions district”.  
 (2) In Article 8(2) (disqualification on summary conviction) omit “acting for the same petty sessions district”.

#### Commencement Information

**I120** Sch. 1 para. 120 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Finance Act 2003 (c. 14)*

- 121** In Schedule 12 (stamp duty land tax)—  
 (a) in paragraph 5(3)(a) omit “for a division”;  
 (b) in paragraph 5(3)(d) for “sections 21 and 42(2)” substitute “ section 21 ”  
 and for “apply” substitute “ applies ”.

#### Commencement Information

**I121** Sch. 1 para. 121 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Crime (International Co-operation) Act 2003 (c. 32)*

- 122** In section 59(2)(c) (appeal against disqualification) omit “acting for the petty sessions district in which the applicant resides”.

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#### Commencement Information

**I122** Sch. 1 para. 122 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Sexual Offences Act 2003 (c. 42)*

**123.—**(1) In section 60B(5) (detention of vehicle, ship or aircraft) for paragraph (b)(i) and (ii) substitute—

“(i) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;”.

(2) In section 125 (variation, renewal and discharge of orders)—

(a) in subsection (1) for “the appropriate court” substitute “ a court of summary jurisdiction ”; and

(b) omit subsection (7).

(3) In section 136 (Northern Ireland)—

(a) in subsection (5) omit “subject to subsection (6)” and after “magistrates' court” insert “ or to a magistrates court for a particular area ”

(b) omit subsections (6) and (7).

#### Commencement Information

**I123** Sch. 1 para. 123 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Civil Partnership Act 2004 (c. 33)*

**124.—**(1) In section 188 (the court)—

(a) in subsection (1) for paragraph (b) substitute—

“(b) a county court.”;

(b) omit subsections (4) to (6) and (9);

(c) in subsection (7) for “civil partnership proceedings county court” substitute “ county court ”;

(d) in subsection (8) omit “civil partnership proceedings” and “which is exercisable by county courts generally”.

(2) In section 189 (appeals) in subsection (1)(a) and (b) omit “civil partnership proceedings”.

(3) In section 190(2) (rules of court) for “civil partnership proceedings county court” (wherever occurring) substitute “ county court ”.



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(4) In Schedule 15 (financial relief in High Court or county court) in paragraph 63(1) omit head (b) and the word “and” immediately before it.

(5) In Schedule 16 (financial relief in court of summary jurisdiction) in paragraph 8(3) omit the words from “acting for the same petty sessions district” to the end.

(6) In Schedule 29 omit paragraphs 50 and 94(4).

#### Commencement Information

**I124** Sch. 1 para. 124 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Criminal Justice (Northern Ireland) Order 2004 (NI 9)*

**125** In Article 10 (live links) omit—

- (a) paragraph (4)(b) and (c);
- (b) paragraph (5).

#### Commencement Information

**I125** Sch. 1 para. 125 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Criminal Justice (Evidence) (Northern Ireland) Order 2004 (NI 10)*

**126** In Article 40 (video evidence) omit paragraph (4).

#### Commencement Information

**I126** Sch. 1 para. 126 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Anti-Social Behaviour (Northern Ireland) Order 2004 (NI 15)*

**127.**—(1) In Article 3(2) (applications for order) omit “for the county court division in which it is alleged that the harassment, alarm or distress was caused or was likely to be caused”.

(2) In Article 6B(14)(a) (variation or discharge of orders) omit “acting for the same county court division as that court”.

#### Commencement Information

**I127** Sch. 1 para. 127 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

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*The Lay Magistrates (Eligibility) Order (Northern Ireland) 2004 (SR 2004/246)*

**128** In Article 2(a) for “county” substitute “ administrative ”.

**Commencement Information**

**I128** Sch. 1 para. 128 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Serious Organised Crime and Police Act 2005 (c. 15)*

**129** In section 80(4) (financial reporting orders)—

- (a) omit “(or in Northern Ireland for the same county court division)”;
- (b) at the end add “or in Northern Ireland to any magistrates' court.”.

**Commencement Information**

**I129** Sch. 1 para. 129 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Safety of Sports Grounds (Northern Ireland) Order 2006 (NI 2)*

**130** In Article 2(2) (interpretation) for the definition of “the court” substitute—  
““the court” means a court of summary jurisdiction;”.

**Commencement Information**

**I130** Sch. 1 para. 130 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Forced Marriage (Civil Protection) Act 2007 (c. 20)*

**131** In Schedule 1 (Northern Ireland) in paragraph 11 omit “a divorce county court”.

**Commencement Information**

**I131** Sch. 1 para. 131 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Road Traffic (Northern Ireland) Order 2007 (NI 10)*

**132.**—(1) In Article 10(3), in the inserted Article 32B(5) of the Offenders Order omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

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(2) In Article 10(3), in the inserted Article 32B(7) of the Offenders Order omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(3) In Article 10(3), in the inserted Article 32E(3) of the Offenders Order—

- (a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;
- (b) omit the definition of “relevant local court”;
- (c) in the definition of “supervising court” omit “acting in the same petty sessions district as the court which made the order”.

(4) In Article 11(1), in the substituted Article 37(6) of the Offenders Order, omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(5) In Article 11(1), in the substituted Article 37(8) of the Offenders Order, omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

(6) In Article 11(1), in the substituted Article 38(3) of the Offenders Order—

- (a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;
- (b) omit the definition of “relevant local court”;
- (c) in the definition of “supervising court” omit “acting in the same petty sessions district as the court which made the order”.

(7) In Article 45, in the inserted Article 8A(3)(e) of the Order of 1981, omit “acting for the petty sessions district in which the person resides”.

(8) In Article 60(12) (appeals) omit “acting for the petty sessions district in which the person resides”.

(9) In Article 64(5)(b) (training) omit “acting for the petty sessions district in which the person resides”.

#### Commencement Information

**I132** Sch. 1 para. 132 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Criminal Justice and Immigration Act 2008 (c. 4)*

**133.**—(1) In section 82 (requests to other member states) in subsection (4)(b)(v) omit “in a petty sessions district”.

(2) In section 87 (requests from other member states)—

- (a) omit subsection (2);

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- (b) in subsection (3) omit “Otherwise” and the words from “for such petty sessions district” to the end;
- (c) in subsection (4) omit “(2) or”;
- (d) omit subsection (5).
- (3) In section 88 (procedure on receipt of certificate)—
  - (a) in subsection (1) omit “for a petty sessions district”;
  - (b) in subsection (2) omit “acting for the petty sessions district”.

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**Commencement Information**

**I133** Sch. 1 para. 133 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Human Fertilisation and Embryology Act 2008 (c. 22)*

**134** In section 54(9)(c) (parental orders) omit “within whose division the child is”.

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**Commencement Information**

**I134** Sch. 1 para. 134 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Counter-Terrorism Act 2008 (c. 28)*

**135** In Schedule 5 (foreign travel restriction orders) in paragraph 10(2) omit “for the petty sessions district which includes the area where the person subject to the order resides”.

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**Commencement Information**

**I135** Sch. 1 para. 135 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Criminal Justice (Northern Ireland) Order 2008 (NI 1)*

**136.**—(1) In Article 60(1), in the inserted Article 38B(5) of the Offenders Order, omit “or (if the supervising court is not the Crown Court or the relevant local court) to either the supervising court or the relevant local court”.

- (2) In Article 60(1), in the inserted Article 38E(3) of the Offenders Order—
  - (a) in the definition of “proper officer” omit “for the petty sessions district for which the court acts”;
  - (b) omit the definition of “relevant local court”;

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- (c) in the definition of “supervising court” omit “acting for the same petty sessions district as the court which made the order”.
- (3) In Article 61 (experimental period)—
  - (a) in paragraph (4)(b) omit “acting for a petty sessions district”;
  - (b) in paragraph (6) for “petty sessions district” substitute “magistrates' court”;
  - (c) in paragraph (7) for “a district” substitute “ a court ” and for “districts” substitute “ courts ”.
- (4) Omit Article 92 (jurisdiction of magistrates' court in relation to proving execution of arrest warrant).
- (5) In Schedule 3 (supervised activity orders)—
  - (a) in paragraph 1 for “petty sessions district” substitute “ locality ”;
  - (b) omit paragraph 2(1);
  - (c) omit paragraph 3(4);
  - (d) in paragraph 5(2) omit “having jurisdiction in the place where the offender is arrested”;
  - (e) omit paragraph 6(2);
  - (f) in paragraph 6(4) for heads (a) and (b) substitute “ give a copy of the amending order to the supervising officer ”;
  - (g) omit paragraph 6(5);
  - (h) in paragraph 8(1)(b) omit the words from “having jurisdiction” to the end.

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**Commencement Information**

**I136** Sch. 1 para. 136 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Marine and Coastal Access Act 2009 (c. 23)*

**137** In Schedule 17 (warrants) in paragraph 10(2)(b) omit “for the petty sessions district in which the dwelling is situated”.

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**Commencement Information**

**I137** Sch. 1 para. 137 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Coroners and Justice Act 2009 (c. 25)*

**138.**—(1) In section 77(6) (anonymity in investigations) omit “for the petty sessions district in which the application for an investigation anonymity order is made”.

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(2) In section 79(6)(b) (appeal against refusal of investigation anonymity order) omit “of the county court division in which the appeal is made”.

**Commencement Information**

**I138** Sch. 1 para. 138 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Terrorism Prevention and Investigation Measures Act 2011 (c. 23)*

**139** In Schedule 5 (powers of entry) in paragraph 9(16)(b) for the words from “for the petty sessions district” to the end substitute “ of petty sessions ”.

**Commencement Information**

**I139** Sch. 1 para. 139 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Caravans Act (Northern Ireland) 2011 (c. 12)*

**140.**—(1) In section 6(1) (jurisdiction) omit “for the county court division in which the protected site is situated”.

(2) In section 10(1) (jurisdiction) omit “for the county court division in which the caravan site is situated”.

**Commencement Information**

**I140** Sch. 1 para. 140 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Welfare of Animals Act (Northern Ireland) 2011 (c. 16)*

**141** In Schedule 3 (powers or entry) in paragraph 3(9) omit the words from “for the petty sessions district” to the end.

**Commencement Information**

**I141** Sch. 1 para. 141 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

*The Justice Act (Northern Ireland) 2011 (c. 24)*

**142.**—(1) In section 46(3) (banning orders: additional requirements) omit “acting for the same county court division as that court”.

(2) In section 47(6) (termination of banning orders) omit “acting for the same county court division as that court”.

**Changes to legislation:** Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) Omit section 54 (breach of licence conditions by sex offenders).
- (4) In section 91 (bail: compassionate grounds)—
  - (a) in subsection (1) for “the appropriate court” substitute “any magistrates' court”;
  - (b) in subsection (2) for “appropriate court” substitute “magistrates' court”;
  - (c) omit subsection (4).

#### Commencement Information

**I142** Sch. 1 para. 142 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Justice Act (Northern Ireland) 2015 (c. )*

- 143** In section 93 (Public Prosecutor's summons)—
- (a) in subsection (1) omit “for any county court division” and “in respect of which a magistrates' court for that county court division has jurisdiction to hear a charge” and for “that court” substitute “a magistrates' court”;
  - (b) omit subsection (2);
  - (c) in subsection (3) omit “for any county court division” and the words from “into which” to “preliminary inquiry” and for “before that” substitute “before a ”.

#### Commencement Information

**I143** Sch. 1 para. 143 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

#### *The Serious Crime Act 2015 (c. 9)*

- 144** In Schedule 2 in paragraph 11(2)(c) omit “for the petty sessions district in which the lay magistrate was acting when he or she issued the warrant”.

#### Commencement Information

**I144** Sch. 1 para. 144 in operation at 31.10.2016 by S.R. 2016/387, art. 2(k) (with art. 3)

**Changes to legislation:**

Justice Act (Northern Ireland) 2015, SCHEDULE 1 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)