
STATUTORY INSTRUMENTS

1996 No. 3160

The Criminal Justice (Northern Ireland) Order 1996

PART II

TREATMENT OF OFFENDERS

Discharge

Effect of discharge

6.—(1) Subject to paragraph (2) and to section 30(4) of the Criminal Appeal (Northern Ireland) Act 1980 and Article 140(1A) of the Magistrates' Courts (Northern Ireland) Order 1981, a conviction of an offence for which an order is made under this Part discharging the offender absolutely or conditionally shall be deemed not to be a conviction for any purpose other than the purposes of the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under Article 5.

(2) Where the offender being not less than 17 years of age at the time of his conviction of the offence in question, is subsequently sentenced under this Part for that offence, paragraph (1) shall cease to apply to the conviction.

(3) Without prejudice to paragraphs (1) and (2), the conviction of an offender who is discharged absolutely or conditionally under this Part shall in any event be disregarded for the purposes of any statutory provision which—

- (a) imposes any disqualification or disability upon convicted persons; or
- (b) authorises or requires the imposition of any such disqualification or disability.

(4) Paragraphs (1) to (3) shall not affect—

- (a) any right of any offender discharged absolutely or conditionally under this Part to rely on his conviction in bar of any subsequent proceedings for the same offence; or
- (b) the restoration of any property in consequence of the conviction of any such offender; or
- (c) the operation, in relation to any such offender, of any statutory provision in force at the commencement of this Part which is expressed to extend to persons dealt with under section 1(1) of the Probation of Offenders Act 1907 as well as to convicted persons.