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## STATUTORY INSTRUMENTS

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# 1998 No. 1504

## The Criminal Justice (Children) (Northern Ireland) Order 1998

### PART VIII

#### MISCELLANEOUS AND GENERAL

*Art. 56 rep. by 2004 c.4*

#### **Grants for juvenile justice centres, attendance centres and the Juvenile Justice Board**

**57.**—(1) The Secretary of State may pay grants to any person towards expenditure incurred or to be incurred in relation to attendance centres and juvenile justice centres.

*Para. (2) rep. by 2004 c.4*

(3) Grants payable under this Article shall be paid at such times and in such manner and subject to such conditions as the Secretary of State may determine.

(4) Any sum which falls to be paid to the Secretary of State by virtue of any conditions attached to a grant may be recovered by the Secretary of State as a debt due to him.

*Art. 58 rep. by 2005 c. 12*

#### **Inquiries and investigations**

**58.** The Secretary of State may cause an inquiry to be held or an investigation to be made in any case where it appears to him advisable to do so in connection with any matter arising under this Order.

#### **Acquisition and disposal of land**

**59.**—(1) For the purposes of this Order the Secretary of State may acquire land by agreement or compulsorily.

(2) Where the Secretary of State in exercise of the power conferred by paragraph (1) desires to acquire any land otherwise than by agreement, the Secretary of State may make an order (“a vesting order”) vesting the land in the Secretary of State.

(3) Schedule 6 to the Local Government Act (Northern Ireland) 1972 shall apply for the purposes of the acquisition of land by means of a vesting order made under this Article in the same manner as it applies to the acquisition of land by means of a vesting order under that Act subject to the modifications set out in Schedule 3.

(4) Any land held by the Secretary of State for the purposes of this Order may, if in his opinion it is no longer required for those purposes, be disposed of by the Secretary of State or be appropriated by him for other purposes.

(5) Where the Secretary of State proposes to dispose of any land and is of the opinion that it is necessary, in order to facilitate that disposal, to acquire land adjoining that land, then, notwithstanding that the acquisition of that adjoining land is not required for the purposes of this Order, the Secretary of State may acquire by agreement that adjoining land.

### **Power to enter on lands**

**60.** Section 98 of the Local Government Act (Northern Ireland) 1972 shall apply for the purposes of this Order as if any reference to a council were a reference to the Secretary of State.

### **Proof of documents**

**61.**—(1) A document purporting to be a copy of an order made by a court under any of the provisions of this Order shall, if it purports to be certified as a true copy by the clerk of the court, be evidence of the order.

(2) An order or other document may be authenticated on behalf of the managers of a juvenile justice centre by the signature of one of the managers or their secretary, or of the person for the time being in charge.

### **Presumption and determination of age**

**62.**—(1) This Article applies where in any proceedings against a child or any other person for an offence, a person is brought before a court otherwise than for the purpose of giving evidence and it appears to the court that he is a child.

(2) The court shall make due inquiry as to the age of that person, and for that purpose shall take such evidence as may be forthcoming at the hearing of the case.

(3) An order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated to the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Order, be deemed to be the true age of that person.

### **Appeals**

**63.**—(1) Where a person appeals against an order made under this Order by a court of summary jurisdiction without convicting him, the county court shall have the like powers on the appeal as if it had been against both conviction and sentence.

(2) An appeal by a child in respect of whom an order has been made under this Order by a court of summary jurisdiction, whether the appeal is against the order or against the finding upon which the order was made, may be brought by him or by his parent or guardian on his behalf.

### **Transitional provisions and savings**

**64.**—(1) The Secretary of State may by order make such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient.

(2) Without prejudice to paragraph (1), Schedule 4 shall have effect.

*Article 65—Amendments and repeals*

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, PART VIII.