
STATUTORY INSTRUMENTS

1999 No. 2789

The Criminal Evidence (Northern Ireland) Order 1999

PART VII

FINAL PROVISIONS

Orders

38.—(1) An order made under Article 6(5) or 29(2) shall be subject to^[F1] negative resolution].

(2) Any order made by the Secretary of State under this Order may contain such incidental, supplemental, saving or transitional provisions as the Secretary of State thinks fit.

F1 Words in art. 38(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), Sch. 2 para. 21(2) (with arts. 28-31); S.I. 2010/977, art. 1(2)

General supplementary provisions

39.—(1) Rules of court may make such provision as appears to the authority making them to be necessary or expedient for the purposes of this Order (and nothing in this Order shall be taken to affect the generality of any statutory provision conferring power to make such rules).

(2) For the purposes of this Order the age of a person shall be taken to be that which it appears to the court to be after considering any available evidence.

^[F2](3) Paragraph (2) is subject to Article 21(5).]

F2 Art. 39(3) inserted (14.1.2015) by Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2), ss. 24(8), 28(2)

Minor and consequential amendments, transitional provisions and repeals

Para. (1)—Amendments

(2) The transitional provisions and savings in Schedule 2 shall have effect.

Para. (3)—Repeals

Commencement Information

II Art. 40 partly in operation; art. 40 not in operation at date of making see art. 1(2); art. 40 in operation for specified purposes at 30.6.2003 by S.R. 2003/323, art. 2, Sch.; art. 40 in operation for certain purposes at 1.12.2003 by S.R. 2003/476, art. 2; art. 40(1) in operation for certain purposes at 8.11.2004 by S.R. 2004/486, art. 2; art. 40(1) in operation for certain purposes at 21.12.2004 by S.R.

Changes to legislation: *The Criminal Evidence (Northern Ireland) Order 1999, PART VII is up to date with all changes known to be in force on or before 17 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*

2004/531, **art. 2**; art. 40 in operation for specified purposes at 4.5.2010 by S.R. 2010/142, **art. 2, Sch.**;
art. 40 in operation for specified purposes at 11.11.2013 by S.R. 2013/251, art. 2(b)

Changes to legislation:

The Criminal Evidence (Northern Ireland) Order 1999, PART VII is up to date with all changes known to be in force on or before 17 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 Order associated Parts and Chapters:

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

- [art. 29\(3\)\(aa\)](#) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 11](#)
- [art. 29\(3\)\(aa\)](#) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\), Sch. 2 para. 11](#) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(h\)](#)