
STATUTORY INSTRUMENTS

2003 No. 1247

The Criminal Justice (Northern Ireland) Order 2003

PART III

TIME LIMITS

Supplementary provisions

13.—(1) Where a person is convicted of an offence, the extension of a time limit in the exercise of the power conferred by virtue of Article 12(2)(c) in relation to proceedings for the offence shall not be called into question on an appeal against the conviction.

(2) For the purposes of Article 12 proceedings for an offence shall be taken to begin when the accused is charged with the offence or, as the case may be, a complaint is made charging him with the offence.

(3) In the application of Article 12 in relation to proceedings on indictment, preliminary stage does not include a stage after the time when a jury is sworn to consider the issue of guilt or fitness to plead or, if the court accepts a plea of guilty before a jury is sworn, after that plea is accepted (but this is subject to Article 7 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (NI 16) (trial begins with preparatory hearing)).

(4) In the application of Article 12 in relation to summary proceedings, preliminary stage does not include a stage—

- (a) after the court begins to hear evidence for the prosecution at the trial; or
- (b) if the court accepts a plea of guilty without proceeding as mentioned in sub-paragraph (a), after the plea is accepted; or
- (c) after the court begins to consider whether to exercise its power under Article 44(4) of the Mental Health (Northern Ireland) Order 1986 (NI 4) (power to make hospital or guardianship order without convicting person).

(5) For the purposes of the application of a custody time limit in relation to a person who is in the custody of a magistrates' court or the Crown Court—

- (a) all periods during which he is in the custody of a magistrates' court in respect of the same offence shall be aggregated and treated as a single continuous period; and
- (b) all periods during which he is in the custody of the Crown Court in respect of the same offence shall be aggregated and treated similarly.

Changes to legislation:

The Criminal Justice (Northern Ireland) Order 2003, Section 13 is up to date with all changes known to be in force on or before 18 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](#)

Commencement Orders yet to be applied to the The Criminal Justice (Northern Ireland) Order 2003

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2016/387 art. 2 commences \(2015 c. 9 \(N.I.\)\)](#)