STATUTORY RULES OF NORTHERN IRELAND

2010 No. 52 (C. 3)

JUSTICE

The Justice (Northern Ireland) Act 2002 (Commencement No. 13) Order 2010

Made - - - - 25th February 2010

The Secretary of State, in exercise of the powers conferred by section 87 of the Justice (Northern Ireland) Act 2002(**1**), makes the following Order:

1. This Order may be cited as the Justice (Northern Ireland) Act 2002 (Commencement No. 13) Order 2010.

2. The following provisions of the Justice (Northern Ireland) Act 2002 shall come into force on 1st March 2010—

(a) section 78 (Power to abolish Court Service);

(b) section 82 (Excepted matters: judicial office-holders);

(c) section 83 (Reserved matters: new institutions);

(d) section 86 (Repeals and revocations) to the extent necessary to bring into force the provisions listed in paragraph (e);

(e) In Schedule 13 (Repeals and revocations), the entries in respect of—

(i) the Northern Ireland Act 1998(**2**) in so far as it extends to—

(aa) paragraph 11 of Schedule 2 to that Act;

(bb) paragraphs 6, 12, 14, 22, 24 and 36 of Schedule 10 to that Act;

(ii) the Justice (Northern Ireland) Act 2002 in so far as it extends to section 9(13) of that Act.

Northern Ireland Office
25th February 2010

Paul Goggins
Minister of State

(**1**) 2002 c.26.
(**2**) 1998 c.47.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of the Justice (Northern Ireland) Act 2002 specified in article 2 on 1st March 2010.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	*Date of Commencement*	*S.R. No.*
Section 1 (guarantee of continued judicial independence)	30.8.2005	2005 No. 391 (C.30)
Section 2 (appointment and removal of judiciary: introductory)	15.6.2005	2005 No. 281 (C.21)
Section 3 (Judicial Appointments Commission)		
Section 5(2) to (9) (appointment to listed judicial offices)		
Section 9(1) to (3), (7) to (11) and (13) (lay magistrates)	1.9.2004	2004 No. 301 (C.11)
Section 9(4), (5), (6) and (14) (lay magistrates)	15.10.2002	2002 No. 319 (C.27)
Section 9(12) (lay magistrates: exercise of functions by Lord Chief Justice, Lord Justices of Appeal, judges of the High Court and county court judges)	1.4.2005	2005 No. 109 (C.9)
Section 10(1) to (5) and (7) (transfer of functions of justices of the peace)		
Section 10(6) (partially)		
Section 11 (transfer of functions of lay panellists)		
Section 12 (role of Lord Chief Justice)	3.4.2006	2006 No. 124 (C.8)
Section 13 (presiding county court judge)		
Section 14 (presiding resident magistrates)		
Section 15 (presiding lay magistrate)		

Provision	*Date of Commencement*	*S.R. No.*
Section 16 (complaints about holders of judicial office)		
Section 17 (secretaries of Lord Chief Justice)	15.10.2002	2002 No. 319 (C.27)
Section 18(1) to (9) (qualification for appointment)		
Section 18(10) (qualification for appointment: Crown Solicitor for Northern Ireland)	3.4.2006	2006 No. 124 (C.8)
Section 19 (judicial oath or affirmation)	15.10.2002	2002 No. 319 (C.27)
Section 20 (Crown Solicitor)	3.4.2006	2006 No. 124 (C.8)
Section 21 (judicial pensions: pension sharing)	15.10.2002	2002 No. 319 (C.27)
Section 29 (Public Prosecution Service)	13.6.2005	2005 No. 281 (C.21)
Section 30(1) to (10) (Director of Public Prosecutions)		
Section 31 (conduct of prosecutions)		
Section 31A (conduct of extradition proceedings) as inserted by section 192(6) of the Extradition Act 2003(**3**).	Section 192(6) was commenced on 1.1.2004 by S.I. 2003/3103 (C.122)	
Section 32 (discontinuance of proceedings before court appearance)	13.6.2005	2005 No. 281 (C.21)
Section 34 (police complaints)		
Section 35 (information for Director)		
Section 36 (exercise of functions by and on behalf of Service)		
Section 37 (code for Prosecutors)		
Section 38 (equality and non-discrimination)	1.6.2006	2005 No. 281 (C.21)
Section 39 (reports by Director)	1.9.2005	2005 No. 281 (C.21)
Section 40 (superintendence and removal of Director)	13.6.2005	2005 No. 281 (C.21)
Section 44 (interpretation)		
Section 45 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C.19)

(**3**) 2003 c.41.

Provision	*Date of Commencement*	*S.R. No.*
Section 46(1) to (5) (functions of Chief Inspector)	18.12.2003	2003 No. 488 (C.37)
Section 46(6) and (7) (functions of Chief Inspector)	15.10.2002	2002 No. 319 (C.27)
Section 47 (further provisions about functions)	26.5.2003	2003 No. 265 (C.19)
Section 48 (powers of inspectors)	18.12.2003	2003 No. 488 (C.37)
Section 49 (reports)		
Section 50 (Law Commission)	16.4.2007	2007 No. 237 (C.14)
Section 51 (duties of Commission)		
Section 52 (reports etc.)		
Section 53(1) to (5) (aims of youth justice system)	1.12.2003	2003 No. 488 (C.37)
Section 53(6) (aims of youth justice system	30.8.2005	2005 No. 391 (C.30)
Section 54 (reparation orders)	1.12.2003	2003 No. 488 (C.37)
Section 55 (community responsibility orders)		
Sections 57 to 62 (youth conferences and other provisions under Part 4 (youth justice))		
Section 63(1) and (2) (extension of youth justice system to 17 year olds)	30.8.2005	2005 No. 391 (C.30)
Section 64 (juvenile justice centre orders for 17 year olds)		
Section 66 (display of Royal Arms at courts)	6.1.2003	2002 No. 405 (C.33)
Section 68 to 70 (victims of crime)	26.5.2003	2003 No. 265 (C.19)
Section 71 (community safety strategy)	18.12.2003	2003 No. 488 (C.37)
Section 74 (appeals in small claims cases)	19.4.2004	2003 No. 416 (C.31)
Section 75 (time limit for cases stated by county court)		
Section 77 (proceedings before coroner)	1.11.2003	2003 No.416 (C.31)
Section 79 to 81 (court security)	15.10.2002	2002 No. 319 (C.27)
Section 84(1) (Assembly Acts about judiciary, law officers and prosecutions)	16.4.2007	2007 No. 237 (C.14)

Provision	*Date of Commencement*	*S.R. No.*
Section 85(1) (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004, 1.1.2005 13.6.2005 and 30.8.2005	2002 No. 319 (C.27), 2003 No. 416 (C.31), 2003 No. 488 (C.37), 2004 No.301 (C.11), 2004 No. 502 (C.29), 2005 No. 281 (C.21) 2005 No. 391 (C.30)
Section 85(2) (power to make amendments as a consequence of Part 4)	1.12.2003	2003 No. 488 (C.37)
Section 86 (partially) (repeals and revocations)	15.10.2002, 1.10.2003, 1.12.2003, 1.4.2005, 13.6.2005, 15.6.2005 and 30.8.2005	2002 No. 319 (C.27), 2003 No. 416 (C.31), 2003 No. 488 (C.37), 2005 No. 109 (C.9), 2005 No. 281 (C.21) 2005 No. 391 (C.30)
Schedule 1 (listed judicial offices) Schedule 2 (Judicial Appointments Commission)	15.6.2005	2005 No. 281 (C.21)
Schedule 4 paragraphs 1 to 13, 15 to 16, 17(1), (3) and (4), and 18 to 40 (functions of justices of the peace)	1.4.2005	2005 No. 109 (C.9)
Schedule 6 (office-holders required to take judicial oath)	15.10.2002	2002 No. 319 (C.27)

Provision	*Date of Commencement*	*S.R. No.*
Schedule 8 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C.19)
Schedule 9 (Law Commission)	16.4.2007	2007 No. 237 (C.14)
Schedule 10 (youth justice orders: enforcement etc.)	1.12.2003	2003 No. 488 (C.37)
Schedule 11 paragraphs 1, 3, 4 and 6 to 24 (extension of youth justice system to 17 year olds)	30.8.2005	2005 No. 391 (C.30)
Schedule 12 (partially) (minor and consequential amendments)	15.10.2002, 1.11.2003, 1.12.2003, 1.9.2004, 1.1.2005, 13.6.2005, 30.8.2005, 3.4.2006 and 16.04.2007	2002 No. 319 (C.27), 2003 No. 416 (C.31, 2003 No. 488 (C.37), 2004 No. 301 (C.11), 2004 No. 502 (C.29), 2005 No. 281 (C.21), 2005 No. 391 (C.30), 2006 No. 124 (C.8), 2007 No. 237 (C.14)
Schedule 13 (partially) (repeals and revocations)	15.10 2002, 1.10.2003, 1.12.2003, 1.4.2005, 13.6.2005, 15.6.2005, 30.8.2005, 3.4.2006 and	2002 No. 319 (C.27), 2003 No. 416 (C.31), 2003 No. 488 (C.37), 2005 No.109 (C.9), 2005 No. 281 (C.21),

Provision	*Date of Commencement*	*S.R. No.*
	16.04.2007	2005 No. 391 (C.30), 2006 No. 124 (C.8), 2007 No. 237 (C.14)