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(a), 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(b) 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

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.

⁽a) 2002 c.26.

⁽b) 1998 c.47.

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) Section 3 (Judicial Appointments	15.6.2005	2005 No. 281 (C.21)
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) Section 13 (presiding county court judge) Section 14 (presiding resident magistrates) Section 15 (presiding lay magistrate) Section 16 (complaints about holders of judicial office)	3.4.2006	2006 No. 124 (C.8)
Section 17 (secretaries of Lord Chief Justice) Section 18(1) to (9) (qualification for appointment)	15.10.2002	2002 No. 319 (C.27)
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) Section 30(1) to (10) (Director of Public Prosecutions) Section 31 (conduct of prosecutions)	13.6.2005	2005 No. 281 (C.21)

Section 31A (conduct of extradition proceedings) as inserted by section 192(6) of the Extradition Act 2003(a).	Section 192(6) was commenced on 1.1.2004 by S.I. 2003/3103 (C.122)	
Section 32 (discontinuance of proceedings before court appearance) 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)	13.6.2005	2005 No. 281 (C.21)
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) Section 44 (interpretation)	13.6.2005	2005 No. 281 (C.21)
Section 45 (Chief Inspector of Criminal Justice)	26.5.2003	2003 No. 265 (C.19)
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) Section 49 (reports)	18.12.2003	2003 No. 488 (C.37)
Section 50 (Law Commission) Section 51 (duties of Commission) Section 52 (reports etc.)	16.4.2007	2007 No. 237 (C.14)
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) Section 55 (community responsibility orders) Sections 57 to 62 (youth conferences and other provisions under Part 4 (youth justice))	1.12.2003	2003 No. 488 (C.37)
Section 63(1) and (2) (extension of youth justice system to 17 year olds) Section 64 (juvenile justice centre orders for 17 year olds)	30.8.2005	2005 No. 391 (C.30)
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) Section 75 (time limit for cases stated by county court)	19.4.2004	2003 No. 416 (C.31)

⁽a) 2003 c.41.

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)
Section 85(1) (partially) (minor and	15.10.2002,	2002 No. 319
consequential amendments)	1.11.2003,	(C.27),
	1.12.2003,	2003 No. 416
	1.9.2004,	(C.31),
	1.1.2005	2003 No. 488
	13.6.2005 and	(C.37),
	30.8.2005	2004 No.301
		(C.11),
		2004 No. 502
		(C.29),
		2005 No. 281
		(C.21)
		2005 No. 391
Section 85(2) (power to make amendments as	1.12.2003	(C.30) 2003 No. 488
a consequence of Part 4)	1.12.2003	(C.37)
Section 86 (partially) (repeals and	15.10.2002,	2002 No. 319
revocations)	1.10.2003,	(C.27),
10 (Octations)	1.12.2003,	2003 No. 416
	1.4.2005,	(C.31),
	13.6.2005,	2003 No. 488
	15.6.2005 and	(C.37),
	30.8.2005 and	2005 No. 109
	30.0.2003	(C.9),
		2005 No. 281
		(C.21)
		2005 No. 391
		(C.30)
Schedule 1 (listed judicial offices)	15.6.2005	2005 No. 281
Schedule 2 (Judicial Appointments		(C.21)
Commission)	1.4.2005	2005 N. 100
Schedule 4 paragraphs 1 to 13, 15 to 16,	1.4.2005	2005 No. 109
17(1), (3) and (4), and 18 to 40 (functions of justices of the peace)		(C.9)
Schedule 6 (office-holders required to take	15.10.2002	2002 No. 319
judicial oath)	13.10.2002	(C.27)
Schedule 8 (Chief Inspector of Criminal	26.5.2003	2003 No. 265
Justice)	20.3.2003	(C.19)
Schedule 9 (Law Commission)	16.4.2007	2007 No. 237
,		(C.14)
Schedule 10 (youth justice orders:	1.12.2003	2003 No. 488
enforcement etc.)		(C.37)
Schedule 11 paragraphs 1, 3, 4 and 6 to 24	30.8.2005	2005 No. 391
(extension of youth justice system to 17 year		(C.30)
olds)		

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 16.04.2007	(C.14) 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), 2006 No. 124 (C.8), 2007 No. 237 (C.14)

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