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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 128 (C. 11)**

**JUSTICE**

**The Policing and Crime Act 2017 (Commencement  
No.2) Order (Northern Ireland) 2018**

*Made* - - - - *6th June 2018*

The Department of Justice makes the following Order in exercise of the powers conferred by section 183(4) of the Policing and Crime Act 2017<sup>(1)</sup>:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Policing and Crime Act 2017 (Commencement No.2) Order (Northern Ireland) 2018.

(2) In this Order “the 2017 Act” means the Policing and Crime Act 2017.

**Commencement**

**2.** The day appointed for the coming into force of the following provisions of Chapter 1 of Part 9 of the 2017 Act is 28th June 2018—

- (a) section 168 (disregarding certain convictions etc for abolished offences: Northern Ireland) (which inserts Chapter 5 of Part 5 of the Protection of Freedoms Act 2012<sup>(2)</sup>);
- (b) section 169 (posthumous pardons for convictions etc of certain abolished offences: Northern Ireland);
- (c) section 170 (other pardons for convictions etc of certain abolished offences: Northern Ireland);
- (d) section 172 (sections 169 to 171: supplementary).

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(1) 2017 c. 3.  
(2) 2012 c. 9.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Justice on 6th June 2018



*Nick Perry*  
A senior officer of the  
Department of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force specified provisions of the Policing and Crime Act 2017 (“the 2017 Act”).

Section 168 of the 2017 Act inserts sections 101A to 101J as Chapter 5 of Part 5 of the Protection of Freedoms Act 2012. These sections make provision for a person who has a conviction or caution for a specific offence (in particular in relation to historical offences of buggery and gross indecency between men) to apply to the Department of Justice to have that conviction or caution disregarded and set out the circumstances in which such an application will be successful.

Section 169 of the 2017 Act makes provision for an automatic posthumous pardon for a person who has a conviction or caution for an offence as specified in section 169(2) and who has died before this section came into force.

Section 170 of the 2017 Act provides that where a person, who is living at the time this section comes into force, has a conviction or caution that becomes disregarded under Chapter 5 of Part 5 of the Protection of Freedoms Act 2012, the person is also pardoned for the offence at that time.

Section 172 of the 2017 Act makes supplementary provisions in relation to pardons, regulations made under section 171 and the prerogative of mercy.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Chapter 7 of Part 4	1st March 2018	<a href="#">S.R. 2018 No.34</a>