

Status: Point in time view as at 03/04/2006.

Changes to legislation: There are currently no known outstanding effects for the Misuse of Drugs Act 1971, Part IV. (See end of Document for details)

SCHEDULES

SCHEDULE 3

TRIBUNALS, ADVISORY BODIES AND PROFESSIONAL PANELS

PART IV

APPLICATION OF PARTS I TO III TO NORTHERN IRELAND

- 21 In the application of Parts I to III of this Schedule to Northern Ireland the provisions specified in the first column of the following Table shall have effect subject to the modifications specified in relation thereto in the second column of that Table.

TABLE

<i>Provision of this Schedule</i>	<i>Modification</i>
Paragraph 1	In sub-paragraph (1), for [^{F1} any reference to] the Secretary of State there shall be substituted [^{F2} a reference to] the Minister of Home Affairs for Northern Ireland.
Paragraph 4	<p>In sub-paragraph (1), for the reference to the Lord Chancellor there shall be substituted a reference to the Ministry of Home Affairs for Northern Ireland.</p> <p>For sub-paragraph (3) there shall be substituted—</p> <p>“(3) Any rules made under this paragraph by the Ministry of Home Affairs for Northern Ireland shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.”</p>
Paragraphs 8 to 12	For the references to the Secretary of State and the Treasury there shall be substituted respectively references to the Ministry of Home Affairs for Northern Ireland and the Ministry of Finance for Northern Ireland.
Paragraph 13	In sub-paragraph (1)—

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(a) for [^{F3}any reference to the] Secretary of State there shall be substituted [^{F4}a reference to] the Minister of Home Affairs for Northern Ireland; and

(b) for the reference to a department of the Government of the United Kingdom there shall be substituted a reference to a department of the Government of Northern Ireland.

[^{F5}After sub-paragraph (2) there shall be inserted—

“(3) The Lord Chancellor must obtain the concurrence of the Lord Chief Justice of Northern Ireland before exercising his functions under sub-paragraph (1)(a).

(4) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under sub-paragraph (3)

- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).”]

Paragraph 16

The references to paragraphs 8 and 10 to 12 shall be construed as references to those paragraphs as modified by this Part of this Schedule.

Paragraph 17

For the reference to the Secretary of State there shall be substituted a reference to the Minister of Home Affairs for Northern Ireland.

Paragraph 20

The reference to paragraph 8 shall be construed as a reference to that paragraph as modified by this Part of this Schedule.

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Textual Amendments

- F1** Words in Sch. 3 para. 21 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 74\(2\)\(a\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)
- F2** Words in Sch. 3 para. 21 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 74\(2\)\(b\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)
- F3** Words in Sch. 3 para. 21 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 74\(3\)\(a\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)
- F4** Words in Sch. 3 para. 21 substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 74\(3\)\(b\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)
- F5** Words in Sch. 3 para. 21 inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 4 para. 74\(3\)\(c\)](#); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(e)

Modifications etc. (not altering text)

- C1** Functions of Ministry of Home Affairs for Northern Ireland transferred to Department of Health and Social Services for Northern Ireland by S.R. & O. (N.I.) 1973 No. 504, art. 5, [Sch. 2 Pt. I](#)

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