



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART VIII

PRISON SERVICES AND THE PRISON SERVICE

CHAPTER IV

THE PRISON SERVICE

[^{F1}127A Power to suspend the operation of section 127

- (1) The Secretary of State may make orders suspending, or later reviving, the operation of section 127.

[In the application of this section to Northern Ireland, in subsection (1) the reference ^{F2}(1A) to the Secretary of State is to be read as a reference to the Department of Justice in Northern Ireland.]

- (2) An order under this section may make different provision in relation to different descriptions of prison officer.
- (3) The power to make orders under this section is exercisable by statutory instrument [^{F3}(subject to subsection (5))].
- (4) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.]

[^{F4}(5) The power of the Department of Justice in Northern Ireland to make orders under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (and not by statutory instrument).

Changes to legislation: Criminal Justice and Public Order Act 1994, Section 127A is up to date with all changes known to be in force on or before 07 July 2023. 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. (See end of Document for details) View outstanding changes

- (6) No order may be made by the Department of Justice under this section unless a draft of the order has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (7) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (6) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.]

Textual Amendments

- F1** S. 127A inserted (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 139**, 153(1)(d)
- F2** [S. 127A\(1A\)](#) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 7 para. 4(2)** (with arts. 28-31)
- F3** Words in [s. 127A\(3\)](#) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 7 para. 4(3)** (with arts. 28-31)
- F4** [S. 127A\(5\)-\(7\)](#) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 7 para. 4(4)** (with arts. 28-31)

Changes to legislation:

Criminal Justice and Public Order Act 1994, Section 127A is up to date with all changes known to be in force on or before 07 July 2023. 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)