

**Changes to legislation:** Criminal Procedure and Investigations Act 1996, Paragraph 33A is up to date with all changes known to be in force on or before 24 April 2024. 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

## SCHEDULES

### SCHEDULE 4

#### MODIFICATIONS FOR NORTHERN IRELAND

##### Extent Information

- E1** Sch. 4 extends to Northern Ireland but the operation of Sch. 4 is limited by application as mentioned in s. 79(4)

##### *Part VII of this Act*

[<sup>F1</sup>33A. After section 77 insert—

##### **“Orders and regulations (Department of Justice)**

- (1) This section concerns the powers of the Department of Justice to make orders or regulations under this Act.
- (2) Any power to make an order or regulations may be exercised differently in relation to different areas or in relation to other different cases or descriptions of case.
- (3) Any order or regulations may include such supplementary, incidental, consequential or transitional provisions as appear to the Department of Justice to be necessary or expedient.
- (4) Any power to make an order or regulations shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
- (5) No regulations shall be made under section 6A unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (6) Regulations (other than regulations under section 6A) shall be subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).
- (7) No order shall be made under section 25 unless a draft of the order has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (8) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsections (5) and (7) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.”.]

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### Textual Amendments

- F1** Sch. 4 para. 33A 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. 14 para. 34(6)** (with arts. 28-31)

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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. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)