



# Northern Ireland (Sentences) Act 1998

## 1998 CHAPTER 35

### *General*

#### **19 Orders and rules.**

- (1) Any order or rules under this Act—
  - (a) shall be made by statutory instrument, and
  - (b) may include transitional provisions and savings.
- (2) Subject to subsection (3), no order shall be made under section 3(8), 10(8) or 16 unless a draft has been laid before, and approved by resolution of, each House of Parliament.
- (3) An order under section 3(8) or 10(8) or a suspension order under section 16 may be made without a draft having been approved if the Secretary of State thinks it necessary by reason of urgency, in which case the order—
  - (a) shall include a declaration to that effect,
  - (b) shall be laid before each House of Parliament after being made, and
  - (c) shall cease to have effect at the end of the period of 40 days (computed in accordance with section 7(1) of the <sup>M1</sup>Statutory Instruments Act 1946) starting with the day on which it was made unless a resolution has been passed by each House approving it.
- (4) If an order under section 3(8) or 10(8) or 16 ceases to have effect by virtue of subsection (4)(c) above, the detention of a person while the order was in force shall not be treated as unlawful by reason only of the order's ceasing to have effect.
- (5) Rules under Schedule 2 shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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#### **Marginal Citations**

**M1** 1946 c. 36.

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*Changes to legislation: Northern Ireland (Sentences) Act 1998, Cross Heading: General is up to date with all changes known to be in force on or before 21 March 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*

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**20 Money.**

Expenditure incurred by the Secretary of State by virtue of this Act shall be paid out of money provided by Parliament.

**21 Extent.**

- (1) Subject to subsections (2) and (3), this Act extends to Northern Ireland only.
- (2) An amendment by this Act of any other Act has the same extent as the Act amended.
- (3) Sections 14, 15 and 17 extend to the whole of the United Kingdom.

**22 Commencement.**

This Act shall come into force on a day appointed by order made by the Secretary of State.

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**Subordinate Legislation Made**

**P1** [S. 22](#) power fully exercised (28.7.1998): 28.7.1998 for whole Act by [S.I. 1998/1858, art. 2](#)

**23 Short title.**

This Act may be cited as the Northern Ireland (Sentences) Act 1998.

**Changes to legislation:**

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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. 3(6A)(6B) inserted by [2023 c. 41 Sch. 12 para. 2\(2\)](#)
- s. 3(7A)(7B) inserted by [2023 c. 41 Sch. 12 para. 2\(4\)](#)
- s. 13A inserted by [2023 c. 41 Sch. 12 para. 4](#)
- Sch. 3 para. 2(A1)(A2) inserted by [2023 c. 41 Sch. 12 para. 3\(2\)](#)
- Sch. 3 para. 2(1A) inserted by [2023 c. 41 Sch. 12 para. 3\(4\)](#)