



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 2

LAW OFFICERS AND PUBLIC PROSECUTION SERVICE

Public Prosecution Service

30 Director of Public Prosecutions

- (1) The Attorney General for Northern Ireland must—
 - (a) appoint a person to be Director of Public Prosecutions for Northern Ireland, and
 - (b) appoint a person to be Deputy Director of Public Prosecutions for Northern Ireland.
- (2) A person is not qualified for appointment as Director unless he is—
 - (a) a member of the Bar of Northern Ireland of at least ten years' standing, or
 - (b) a solicitor of the [^{F1}Court of Judicature] of at least ten years' standing.
- (3) A person is not qualified for appointment as Deputy Director unless he is—
 - (a) a member of the Bar of Northern Ireland of at least seven years' standing, or
 - (b) a solicitor of the [^{F1}Court of Judicature] of at least seven years' standing.
- (4) The Deputy Director has all the powers of the Director but must exercise them subject to his direction and control.
- (5) A person appointed as Director or Deputy Director holds office until the end of the year of service in which he attains the age of 65 or such later time as the Attorney General for Northern Ireland may specify.
- (6) But the Director and Deputy Director—
 - (a) may resign by notice in writing to the Attorney General for Northern Ireland, and
 - (b) may be removed from office in accordance with section 40(3) or 43.

Changes to legislation: *Justice (Northern Ireland) Act 2002, Section 30 is up to date with all changes known to be in force on or before 11 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*

- (7) If the office of Director is vacant or the Director is not available to exercise his functions, the Deputy Director has all the functions of the Director.
- (8) If the office of Deputy Director becomes vacant, the Attorney General for Northern Ireland may appoint a member of staff of the Service to act as Deputy Director, on such terms as to tenure as the Attorney General for Northern Ireland determines, pending a new appointment.
- [^{F2}(9) There is to be paid (out of money appropriated as mentioned in section 29(3)) to or in respect of the Director, the Deputy Director and any person appointed to act as Deputy Director any such—
- (a) salary,
 - (b) allowances, or
 - (c) sums for the provision of pensions,
- as the Department of Finance and Personnel may determine.]
- (10) The Director is not required to give security with respect to any proceedings; and no order may be made by any court requiring security to be given to the Director with respect to any proceedings.
- (11) The Director (and the Deputy Director and members of staff of the Service) may not be required in any proceedings of the Assembly to answer any question or produce any document relating to a matter other than the finances and administration of the Service.

Textual Amendments

- F1** Words in s. 30 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, **Sch. 11 para. 6**; [S.I. 2009/1604](#), **art. 2**
- F2** [S. 30\(9\)](#) substituted (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. 13 para. 3** (with arts. 28-31)
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Commencement Information

- I1** S. 30 partly in force, s. 30 not in force at Royal Assent, see s. 87; s. 30(1)-(10) in force at 13.6.2005 by [S.R. 2005/281](#), **art. 2**, **Sch. 1**
- I2** S. 30(11) in force at 12.4.2010 by [S.R. 2010/113](#), art. 2, **Sch. para. 10**

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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. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)