
STATUTORY INSTRUMENTS

1996 No. 1698

NORTHERN IRELAND

**The Northern Ireland (Emergency Provisions)
Act 1991 (Codes of Practice) (No. 3) Order 1996**

<i>Made</i>	- - - -	<i>28th June 1996</i>
<i>Laid before Parliament</i>		<i>5th July 1996</i>
<i>Coming into force</i>	- -	<i>29th July 1996</i>

Whereas—

(1) in pursuance of section 61 of the Northern Ireland (Emergency Provisions) Act 1991⁽¹⁾ (hereinafter referred to as “the 1991 Act”) the Secretary of State issued codes of practice⁽²⁾ in connection with the detention, treatment, questioning and identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989⁽³⁾, and may in pursuance of subsection (5) of that section revise the whole or any part of such a code of practice:

(2) in pursuance of section 61(2) of the 1991 Act the Secretary of State has prepared and published draft revised codes of practice in connection with those matters and has considered representations made to him about them and modified them accordingly:

(3) in pursuance of section 61(3) of the 1991 Act the Secretary of State has laid drafts of the revised codes of practice before both Houses of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 61(3) of the 1991 Act, hereby makes the following Order:

Citation and Commencement

1. This Order may be cited as the Northern Ireland (Emergency Provisions) Act 1991 (Codes of Practice) (No. 3) Order 1996 and shall come into force on 29th July 1996.

Codes of Practice

2. Subject to article 3 below, the revised codes of practice laid in draft before Parliament on 26th June 1996 in connection with the detention, treatment, questioning and identification of persons

(1) 1991 c. 24.

(2) The codes of practice were brought into operation by S.I. 1993/2788.

(3) 1989 c. 4.

detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall come into operation on 29th July 1996.

Transitional provisions

3.—(1) The revised code of practice for the detention, treatment and questioning of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall apply as follows—

- (a) sections 2, 3, 4, 8, 9 and 15 shall apply to persons who are in such detention where the period of detention commenced after 28th July 1996; and
- (b) the remaining provisions shall apply to persons in such detention after midnight on 28th July 1996, notwithstanding that their period of detention may have commenced before that time.

(2) The code of practice for the identification of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989 shall apply to any procedures to which the code relates which are carried out after 28th July 1996.

Revocation

4. The Northern Ireland (Emergency Provisions) Act 1991 (Codes of Practice) (No. 2) Order 1993⁽⁴⁾ is hereby revoked.

Northern Ireland Office
28th June 1996

P. B. B. Mayhew
One of Her Majesty's Principal Secretaries of
State

(4) S.I. [1993/2788](#).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 29th July 1996 as the date on which two revised codes of practice made under section 61 of the Northern Ireland (Emergency Provisions) Act 1991 will come into operation, superseding codes of practice which have been in operation since 1st January 1994.

The revised codes of practice are:—

- (a) a code of practice for the detention, treatment and questioning of persons detained under the Prevention of Terrorism (Temporary Provisions) Act 1989;
- (b) a code of practice for the identification of persons detained under that Act.

The codes of practice are published by Her Majesty's Stationery Office; copies may be obtained from HMSO bookshops.