
STATUTORY INSTRUMENTS

1999 No. 1172

NORTHERN IRELAND

**The Northern Ireland (Emergency Provisions) Act
1996 (Audio Recording of Interviews) Order 1999**

<i>Made</i>	- - - -	<i>14th April 1999</i>
<i>Laid before Parliament</i>		<i>22nd April 1999</i>
<i>Coming into force</i>	- -	<i>24th May 1999</i>

Whereas in pursuance of section 53A(1)(a) of the Northern Ireland (Emergency Provisions) Act 1996⁽¹⁾ (“the 1996 Act”) the Secretary of State has made a code of practice in connection with the audio recording of interviews held by police officers of persons detained under section 14(1)(a) or (b) of the Prevention of Terrorism (Temporary Provisions) Act 1989⁽²⁾ and interviews held by police officers in such other circumstances as may be specified in an order under section 53A(1)(b) of the 1996 Act.

And whereas in pursuance of section 54(3) of the 1996 Act⁽³⁾ the Secretary of State has made an order bringing the code into operation on 24th May 1999⁽⁴⁾;

Now, therefore, in exercise of the powers conferred on her by section 53A(1)(b) of the 1996 Act, the Secretary of State hereby orders as follows:

1. This Order may be cited as the Northern Ireland (Emergency Provisions) Act 1996 (Audio Recording of Interviews) Order 1999 and shall come into force on 24th May 1999.

2.—(1) The following interviews, that is to say—

(a) interviews held by police officers after midnight on 23rd May 1999 of persons detained under section 14(1)(a) or (b) of the Prevention of Terrorism (Temporary Provisions) Act 1989; and

(b) interviews held by police officers after midnight on that date in the circumstances specified in paragraph (2) of this Article,

shall be subject to audio recording in accordance with the code of practice on audio recording as it has effect for the time being.

(1) 1996 c. 22; section 53A was inserted by section 5 of the Northern Ireland (Emergency Provisions) Act 1998 (c. 9) (“the 1998 Act”).

(2) 1989 c. 4.

(3) Section 54 was amended by paragraph 3 of Schedule 1 to the 1998 Act.

(4) The Order was made by the Secretary of State on 11th April 1999 (S.I. 1999/1131).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) The circumstances referred to in paragraph (1)(b) are interviews of accused persons committed to the custody (otherwise than at a police station) of a constable under Article 47(4B) of the Magistrates' Courts (Northern Ireland) Order 1981⁽⁵⁾.

Northern Ireland Office

Marjorie Mowlam
One of Her Majesty's Principal Secretaries of
State

14th April 1999

(5) [S.I. 1981/1675 \(N.I. 26\)](#); paragraph (4B) of Article 47 was inserted by Article 3(1) of the Criminal Justice (Northern Ireland) Order 1991 ([S.I. 1991/1711 \(N.I. 16\)](#)).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires the audio recording, in accordance with the code of practice made under section 53A(1)(a) of the Northern Ireland (Emergency Provisions) Act 1996 as it has effect for the time being, of

interviews held by police officers of persons detained under section 14(1)(a) or (b) of the Prevention of Terrorism (Temporary Provisions) Act 1989; and

interviews held by police officers of accused persons committed by a magistrates' court to the custody (otherwise than at a police station) of a constable, in the exercise of that court's powers under Article 47(4B) of the Magistrates' Courts (Northern Ireland) Order 1981 ([S.I. 1981/1675 \(N.I. 26\)](#)), as amended by [S.I. 1991/1711 \(N.I. 16\)](#)). A person held in custody otherwise than at a police station is detained at a police office, sometimes referred to as a "holding centre".

The Order comes into force on 24th May 1999 and applies to interviews held after midnight on 23rd May 1999.