

SCHEDULES

SCHEDULE 13

Amendments of the Justice (Northern Ireland) Act 2002

- 25.**—(1) Amend Schedule 9 (Northern Ireland Law Commission) as follows.
- (2) In paragraph 1(3) and (4) (resignation and dismissal of Commissioners) for “Secretary of State” substitute “Department of Justice”.
- (3) In paragraph 3 (salary etc. of Commissioners not holding full-time judicial office)—
- (a) in sub-paragraph (1) for “Secretary of State” substitute “Department of Justice”;
- (b) after sub-paragraph (1) insert—
- “(1A) If a person who, by reference to any office or employment, is a participant in a scheme under Article 3 of the Superannuation (Northern Ireland) Order 1972(1) becomes a Commissioner, the Department of Finance and Personnel may determine that (instead of payments being made to him under sub-paragraph (1)(d)) his service as Commissioner is to be treated for the purposes of the scheme as service in that office or employment.
- (1B) The Commission must pay to the Department of Justice, at such times as the Department may direct, such sums as the Department may determine in respect of expenditure under the Superannuation (Northern Ireland) Order 1972 attributable to sub-paragraph (1A).”; and
- (c) omit sub-paragraphs (2) and (3).
- (4) In paragraph 4 (staff)—
- (a) in sub-paragraph (1) for “Secretary of State” substitute “Department of Justice”;
- (b) after sub-paragraph (2) insert—
- “(2A) Employment as a member of staff of the Commission is among the kinds of employment to which a scheme under Article 3 of the Superannuation (Northern Ireland) Order 1972 can apply; and, accordingly, in Schedule 1 to that Order (kinds of employment etc. referred to in Article 3), at the appropriate place in the list of “Other Bodies” insert—
- “Employment by the Northern Ireland Law Commission.”
- (2B) The Commission must pay to the Department of Justice, at such times as the Department may direct, such sums as the Department may determine in respect of expenditure under the Superannuation (Northern Ireland) Order 1972 attributable to sub-paragraph (2A).”; and
- (c) omit sub-paragraphs (3) and (4) (and the Superannuation Act 1972(2) has effect accordingly).
- (5) In paragraph 5 (power of Secretary of State to make grants to Commission) for “Secretary of State” substitute “Department of Justice”.
- (6) In paragraph 6 (financial provisions: accounts and statements)—

(1) S.I. 1972/1073 (N.I. 10).

(2) 1972 c. 11.

Changes to legislation: *There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 25. (See end of Document for details)*

- (a) in sub-paragraphs (2) and (3) for “Secretary of State” (in all places) substitute “Department of Justice”;
- (b) in sub-paragraph (3)(b) for “Comptroller and Auditor General” substitute “Comptroller and Auditor General for Northern Ireland”;
- (c) in sub-paragraph (4)—
 - (i) for “Comptroller and Auditor General” substitute “Comptroller and Auditor General for Northern Ireland”; and
 - (ii) in paragraph (b) for “each House of Parliament” substitute “the Northern Ireland Assembly”; and
- (d) after sub-paragraph (4) insert—

“(4A) Section 41(3) of the Interpretation Act (Northern Ireland) 1954⁽³⁾ applies for the purposes of sub-paragraph (4)(b) in relation to the laying of a copy of a statement or report as it applies in relation to the laying of a statutory document under an enactment.”

Commencement Information

II Sch. 13 para. 25 in force at 12.4.2010, see [art. 1\(2\)](#)

(3) 1954 c. 33 (N.I.). Section 41(3) was substituted by S.I. 1999/663.

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 25.