

## SCHEDULES

### SCHEDULE 14

#### Criminal Justice

##### *Sexual Offences Act 2003*

- 77.—(1) Amend the Sexual Offences Act 2003(1) as follows.
- (2) In section 136 (modifications of Part 2 for Northern Ireland) after subsection (10) insert—
- “(11) References to the Secretary of State, except in sections 94 and 95, are to be read as references to the Department of Justice in Northern Ireland.”
- (3) In section 138 (orders and regulations) after subsection (4) insert—
- “(5) Any power of the Department of Justice in Northern Ireland to make orders or regulations under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(2).
- (6) An order or regulations under any of sections 83 to 86 or section 130 may not be made by the Department of Justice unless a draft of the order or regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (7) Section 41(3) of the Interpretation Act (Northern Ireland) 1954(3) applies for the purposes of subsection (6) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.
- (8) Any other order or regulations made by the Department of Justice are subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(4)).
- (9) Orders or regulations made by the Department of Justice may—
- (a) make different provision for different purposes;
- (b) include supplementary, incidental, consequential, transitional, transitory or saving provisions.”

#### **Commencement Information**

**II** Sch. 14 para. 77 in force at 12.4.2010, see [art. 1\(2\)](#)

(1) 2003 c. 42. Section 138 was amended by the Criminal Justice and Immigration Act 2008, s.142(10) and Sch.26 para.57. There have been other amendments to the Act but none are relevant.

(2) S.I. 1979/1573 (N.I. 12).

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

(4) Section 41(6) was amended 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, Cross Heading: Sexual Offences Act 2003.