

SCHEDULES

SCHEDULE 15

Serious Organised Crime and Police Act 2005

25. In section 173 (supplementary, incidental, consequential etc. provision) after subsection (6) insert—

“(6A) Before exercising the power conferred by subsection (1) in relation to an enactment which extends to Northern Ireland, the Secretary of State must consult the Department of Justice in Northern Ireland.

(6B) The power conferred by subsection (1) is exercisable by the Department of Justice (rather than by the Secretary of State) where the provision to be made is for the general purposes of this Act and would be within the legislative competence of the Northern Ireland Assembly if it were included in an Act of the Assembly.

(6C) The power conferred by subsection (1) is also exercisable by the Department of Justice (rather than by the Secretary of State) where the provision to be made—

(a) is for the purposes of, in consequence of, or for giving full effect to—

(i) section 78, or

(ii) so far as extending to Northern Ireland, any provision mentioned in section 178(7A), and

(b) would be within the legislative competence of the Northern Ireland Assembly if it were included in an Act of the Assembly.

(6D) The Department of Justice shall not, without the consent of the Secretary of State, make an order by virtue of subsection (6B) or (6C) in relation to which, were the order a Bill of the Northern Ireland Assembly, the Secretary of State’s consent would be required under section 8 of the Northern Ireland Act 1998(1).”

(1) 1998 c. 47.