Draft Order laid before Parliament under section 4(5) of the Terrorism (Northern Ireland) Act 2006 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2007 No.

NORTHERN IRELAND

The Terrorism (Northern Ireland) Act 2006 (Transitional Provisions and Savings) Order 2007

Made - - - -	*2007*
Coming into force - -	*2007*

This Order is made in exercise of the powers conferred by section 4 of the Terrorism (Northern Ireland) Act 2006(**1**).

A draft of this Order has been laid before Parliament in accordance with section 4(5) of the Terrorism (Northern Ireland) Act 2006 and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State makes the following Order:

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Terrorism (Northern Ireland) Act 2006 (Transitional Provisions and Savings) Order 2007.

(2) In this Order—

the "2000 Act" means the Terrorism Act 2000(**2**);

the "2006 Act" means the Terrorism (Northern Ireland) Act 2006; and

the "2007 Act" means the Justice and Security (Northern Ireland) Act 2007(**3**).

(3) This Order comes into force at the end of 31st July 2007.

Modification of Schedule 1 to the 2007 Act

2. The amendments made by Schedule 1 to the 2007 Act to the Criminal Procedure and Investigations Act 1996(**4**), the Criminal Justice Act 2003(**5**), and the Domestic Violence, Crime and

(**1**) 2006 c. 4. The provision that may be made by section 4 is extended by section 8(4) of the Justice and Security (Northern Ireland) Act 2007 (c. 6).
(**2**) 2000 c. 11.
(**3**) 2007 c. 6.
(**4**) 1996 c. 25.
(**5**) 2003 c. 44.

Victims Act 2004(**6**) are to be disregarded for the purposes of a trial on indictment conducted by the court without a jury under section 75(1) of the 2000 Act by virtue of section 113(2) of the 2000 Act.

Transitional provisions and savings

3. The Schedule to this Order, with the exception of paragraph 2, makes savings relating to the expiry of the provisions of the 2000 Act by virtue of section 1(2)(b) of the 2006 Act.

4. Paragraph 2 of the Schedule to this Order makes savings relating to the expiry of section 11 of, and Schedule 2 to, the Justice (Northern Ireland) Act 2004(**7**) by virtue of section 11(4)(a) of that Act.

5. Section 113(2), (4), (5) and (6) of the 2000 Act shall have effect notwithstanding the inclusion of these provisions in Part 7 of the 2000 Act and the expiry of that Part by virtue of section 1(2)(b) of the 2006 Act.

Northern Ireland Office
2007

One of Her Majesty's Principal Secretaries of State

(**6**) 2004 c. 28.
(**7**) 2004 c. 4.

SCHEDULE Articles 3 and 4

SAVINGS

Savings for provisions relating to scheduled offences

1. The expiry of section 67 of the 2000 Act does not affect the operation of that provision in relation to a person who is admitted to bail under it on or before 31st July 2007, or a person who makes an application for bail on or before that date and is subsequently admitted to bail under this provision, while the proceedings for the offence with which he is charged are continuing.

2. The expiry of section 11 of, and Schedule 2 to, the Justice (Northern Ireland) Act 2004 does not affect the operation of those provisions in relation to a person who is admitted to bail under section 67 of the 2000 Act on or before 31st July 2007, or a person who makes an application for bail on or before that date and is subsequently admitted to bail under section 67 of the 2000 Act, by virtue of this Order.

3. The expiry of section 68 of the 2000 Act does not affect the operation of that provision in relation to a person who is admitted to bail under section 67 of the 2000 Act on or before 31st July 2007, or a person who makes an application to be admitted to bail under section 67 of the 2000 Act on or before that date, by virtue of this Order.

4. The expiry of section 75(8) and (9) of the 2000 Act does not affect the operation of that provision in relation to an appeal brought by a person convicted of an offence on a trial on indictment under section 75 where the indictment has been presented on or before 31st July 2007.

Savings for provisions relating to powers of arrest, search, etc.

5. The expiry of section 81 of the 2000 Act does not affect the operation of that provision in relation to a search carried out in accordance with it begun before the end of 31st July 2007 and which is continuing at that time.

6. The expiry of section 82 of the 2000 Act does not affect the operation of that provision in relation to a search carried out in accordance with it begun before the end of 31st July 2007 and which is continuing at that time, or the seizure and retention of anything as a result of any such search, or otherwise, in accordance with section 82.

7. The expiry of section 83 of the 2000 Act does not affect the operation of that provision in relation to: a detention in accordance with section 83(1) begun before the end of 31st July 2007 and which is continuing at that time; a search in accordance with section 83(3) or (4) begun before the end of 31st July 2007 and which is continuing at that time; or the seizure and detention of anything in accordance with section 83(5) as a result of any such search.

8. The expiry of section 84 of and Schedule 10 to the 2000 Act does not affect the operation of those provisions in relation to: a search carried out in accordance with paragraph 2 of Schedule 10 begun before the end of 31st July 2007 and continuing at that time; a requirement imposed on a person in accordance with paragraph 4(1) of Schedule 10 before the end of 31st July 2007, or the extension of the period during which any such requirement may be imposed or have effect in accordance with paragraph 4(2) in respect of a search begun before the end of 31st July 2007.

9. The expiry of section 84 and Schedule 10 to the 2000 Act does not affect the operation of paragraph 5 of Schedule 10 in relation to a member of Her Majesty's forces exercising powers contained in Schedule 10 by virtue of this Order.