STATUTORY RULES OF NORTHERN IRELAND

2013 No. 249

CRIMINAL PROCEDURE

The Criminal Justice Act 1988 (Reviews of Sentencing) Order (Northern Ireland) 2013

Made - - - -	*22nd October 2013*
Coming into operation	*9th December 2013*

The Department of Justice makes the following Order in exercise of the powers conferred by section 35(4) of the Criminal Justice Act 1988(**1**) and now vested in it (**2**):

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Criminal Justice Act 1988 (Reviews of Sentencing) Order (Northern Ireland) 2013 and shall come into operation on 9 December 2013.

(2) "The 1988 Act" means the Criminal Justice Act 1988.

Part 4 of the 1988 Act

2. Part 4 of the 1988 Act (Reviews of Sentencing) shall apply to any case in which sentence is passed on a person tried on indictment for any offence under Section 170 of the Customs and Excise Management Act 1979 (Penalty for fraudulent evasion of duty, etc.)(**3**) in so far as it is in connection with the fraudulent evasion of duty payable on hydrocarbon oil or any of the other fuels as specified in the Hydrocarbon Oil Duties Act 1979(**4**), or, on tobacco products as specified in the Tobacco Products Duty Act 1979(**5**).

3. An offence described in Article 2 includes:

(a) an offence of attempting to commit any of the offences described in Article 2; or

(**1**) 1988 c.33; section 35 was amended by the Criminal Justice and Public Order Act 1994 (c.33), section 168(1) and Schedule 9, paragraph 34 and, in its application to Northern Ireland, section 35 was amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), article 12 and Schedule 14, paragraphs 29 and 30.
(**2**) Article 12 of and paragraphs 29 and 30 of Schedule 14 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) transferred the functions of the Secretary of State under section 35(4) of the 1988 Act (in its application to Northern Ireland) to the Department of Justice in Northern Ireland.
(**3**) 1979 c.2
(**4**) 1979 c.5
(**5**) 1979 c.7