STATUTORY RULES OF NORTHERN IRELAND

2012 No. 214 (C. 18)

JUSTICE

The Justice (2011 Act) (Commencement No. 4 and Transitory Provision) Order (Northern Ireland) 2012

Made - - - - 21st May 2012

The Department of Justice, in exercise of the powers conferred by section 111(3) and (4) of the Justice Act (Northern Ireland) 2011(**1**), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Justice (2011 Act) (Commencement No. 4 and Transitory Provision) Order (Northern Ireland) 2012.

(2) In this Order, "the 2011 Act" means the Justice Act (Northern Ireland) 2011.

Provisions coming into operation on 6th June 2012

2. The day appointed for the coming into operation of the following provisions of the 2011 Act is 6th June 2012 —

(a) section 1(1) (offender levy imposed by court) except paragraph (e) (application to community orders);

(b) section 1(2) (offender levy imposed by court) except as it relates to an offender levy imposed in addition to a sentence referred to in section 1(1)(e) (community orders) and section 1(6) (suspended sentences);

(c) section 1(3), (4), (5), (7), (8) and (9) (offender levy imposed by court);

(d) section 2 (enforcement and treatment of offender levy imposed by court);

(e) section 3 (deduction of offender levy imposed by court from prisoner's earnings);

(f) section 4 (offender levy imposed by court: other supplementary provisions);

(g) section 5(1) (offender levy on certain penalties) except paragraph (a) (application to road traffic fixed penalties);

(h) section 5(2) and (3) (offender levy on certain penalties);

(i) section 5(4) (offender levy on certain penalties) except as it relates to a penalty referred to in section 5(1)(a) (road traffic fixed penalties);

(**1**) 2011 c.24 (N.I.)

(j) section 6(1) (amount of the offender levy) except paragraph (c) (amount where sentence is or includes a community order or a suspended sentence);

(k) section 6(2) (amount of the offender levy), except as it relates to a penalty referred to in section 5(1)(a) (road traffic fixed penalties);

(l) section 6 (3) and (4) (amount of the offender levy);

(m) Chapter 1 of Part 6 (penalty notices) and Schedule 4 (penalty offences and penalties).

Provisions coming into operation on 11th June 2012

3. The day appointed for the coming into operation of the following provisions of the 2011 Act is 11th June 2012 —

(a) section 83(1) and (3) (legal aid for certain bail applications);

(b) section 91 (bail: compassionate grounds).

Provision coming into operation on 1st September 2012

4. The day appointed for the coming into operation of section 90(2) (consequential and supplementary provisions) of the 2011 Act is 1st September 2012.

Transitory provision in connection with the commencement of section 6(1)(d) of the 2011 Act

5. Until section 1(1)(e) (application of offender levy to community orders) or section 1(6) (inclusion of suspended sentences) of the 2011 Act come into operation, section 6(1)(d)(ii) of that Act shall be modified to read "does not include a sentence falling within paragraph (a) or (b)".

Sealed with the Official Seal of the Department of Justice on 21st May 2012

L.S.

David Ford
Minister of Justice