STATUTORY RULES OF NORTHERN IRELAND

2010 No. 142 (C. 9)

CRIMINAL EVIDENCE

The Criminal Evidence (Northern Ireland) Order 1999 (Commencement No. 7) Order 2010

Made - - - - 30th March 2010

The Secretary of State makes the following Order in exercise of the powers conferred by Article 1(2) of the Criminal Evidence (Northern Ireland) Order 1999(**1**):

Citation

1. This Order may be cited as the Criminal Evidence (Northern Ireland) Order 1999 (Commencement No. 7) Order 2010.

Commencement

2. The provisions of the Criminal Evidence (Northern Ireland) Order 1999 specified in the Schedule shall come into operation on 4th May 2010.

Northern Ireland Office
30th March 2010

Paul Goggins
Minister of State

(**1**) 1999 No. 2789 (N.I.8)

SCHEDULE

PROVISIONS OF THE CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1999 COMING INTO OPERATION ON 4th MAY 2010

1. Part V (Competence of witnesses and capacity to be sworn).

2. Article 40(1) (Minor and consequential amendments) to the extent necessary to bring into operation the amendments specified in paragraph 5.

3. Article 40(2) (Transitional provisions) to the extent necessary to bring into operation the provision specified in paragraph 6.

4. Article 40(3) (Repeals) to the extent necessary to bring into operation the repeals specified in paragraph 7.

5.—(1) In Schedule 1 (Minor and consequential amendments)—

(a) paragraph 1 (The Criminal Evidence Act (Northern Ireland) 1923 (c. 9 (N.I.))) except sub-paragraph (5); and

(b) paragraph 3 (The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI12).

6. In Schedule 2 (Transitional provisions and savings) paragraph 5 (Competence of witnesses and capacity to be sworn).

7.—(1) In Schedule 3 (Repeals) the entries in respect of—

(a) the Criminal Evidence Act (Northern Ireland) 1923;

(b) the Police and Criminal Evidence (Northern Ireland) Order 1989 in so far as it repeals Articles 79 (1) and (7) and the words "competent and" in Article 79(5); and

(c) the Criminal Justice (Children) (Northern Ireland) Order 1998 in so far as it repeals Article 20 and paragraph 31 of Schedule 5.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 4th May 2010 provisions in the Criminal Evidence (Northern Ireland) Order 1999 relating to the competence of witnesses in criminal proceedings to give evidence and the capacity of witnesses in such proceedings to be sworn. In addition, a saving provision and a number of amendments and repeals are brought into operation.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Criminal Evidence (Northern Ireland) Order 1999 came into operation on 30th June 2003 in so far as they relate to special measures directions for persons under 17: