STATUTORY RULES OF NORTHERN IRELAND

2008 No. 217 (C. 8)

CRIMINAL LAW

Criminal Justice (Northern Ireland) Order 2008 (Commencement No.1 and Savings and Transitory Provisions) Order 2008

Made - - - - 15th May 2008

The Secretary of State makes the following Order in exercise of the powers conferred by Articles 1(4) and 100 (4), of the Criminal Justice (Northern Ireland) Order 2008 (**1**):

Citation and Interpretation

1.—(1) This Order may be cited as the Criminal Justice (Northern Ireland) Order 2008 (Commencement No.1 and Savings and Transitory Provisions) Order 2008.

(2) In this Order—

(a) "the 2008 Order" means the Criminal Justice (Northern Ireland) Order 2008; and

(b) "the 1996 Order" means the Criminal Justice (Northern Ireland) Order 1996 (**2**).

Commencement

2. Subject to Article 3, the provisions of the 2008 Order specified in the Schedule to this Order shall come into operation on 15 May 2008 except that where any limitation is specified in relation to any provision in the Schedule, the provision concerned shall come into operation on that date subject to that limitation.

Savings

3.—(1) The coming into operation of the provisions of the 2008 Order specified in paragraph (2) is of no effect in relation to an offence committed before 15 May 2008.

(2) The provisions to which this paragraph applies are—

(a) Article 7;

(b) In Schedule 5 (amendments)—

(i) paragraph 5(1),

(**1**) S.I 2008/1216 (N.I. 1)
(**2**) S.I. 1996/3160 (N.I. 24)

(ii) paragraph 7(1) to (5) and (7).

Transitory Provision

4. Where a court is dealing with an offender for an offence committed on or after 15 May 2008—

(a) until the repeal of Article 18 of the 1996 Order comes into operation, Article 18(1) of that Order shall have effect as if after "juvenile justice centre order" there was inserted "or pass a sentence of detention under Article 13(4)(b) or 14(5) of the Criminal Justice (Northern Ireland) Order 2008".

(b) until the repeal of Article 19 of the 1996 Order comes into operation, Article 19(1) of that Order shall have effect as if after "2006" there was inserted "or Article 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008".

(c) until the repeal of Article 20 of the 1996 Order comes into operation, Article 20(1) of that Order shall have effect as if after "2006" there was inserted "or Article 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008".

(d) until the repeal of Article 21 of the 1996 Order comes into operation, Article 21(1) of that Order shall have effect as if after "20(2)" there was inserted "or Article 7(2), 13(1)(b) or 14(1)(b)(i) of the Criminal Justice (Northern Ireland) Order 2008".

(e) until the repeal of Article 24 of the 1996 Order comes into operation, Article 24 of that Order shall have effect as if in paragraph (1), after "2006" there was inserted "or Article 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008".

(f) until the repeal of Article 26 of the 1996 Order comes into operation, Article 26(1)(a) of that Order shall have effect as if after "offence" there was inserted "other than one for which the sentence falls to be imposed under Articles 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008".

Northern Ireland Office
15 May 2008

Paul Goggins
Minister of State