STATUTORY RULES OF NORTHERN IRELAND

2005 No. 391 (C. 30)

JUSTICE

The Justice (Northern Ireland) Act 2002 (Commencement No. 10) Order 2005

Made - - - - 3rd August 2005

The Secretary of State, in exercise of the powers conferred upon him by section 87 of the Justice (Northern Ireland) Act 2002(**1**), hereby makes the following Order:

1. This Order may be cited as the Justice (Northern Ireland) Act 2002 (Commencement No. 10) Order 2005.

2. The provisions of the Justice (Northern Ireland) Act 2002 specified in the Schedule to this Order shall come into force on 30th August 2005.

Peter Hain
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
3rd August 2005

(**1**) 2002 c. 26.

SCHEDULE

Article 2

PROVISIONS OF THE JUSTICE (NORTHERN IRELAND) ACT 2002 COMING INTO FORCE ON 30TH AUGUST 2005

1. Section 1 (guarantee of continued judicial independence).

2. Section 53(6) (aims of youth justice system: meaning of "children").

3. Section 63(1) (extension of youth justice system to 17 year olds: commencement of Schedule 11) to the extent necessary to bring into force the provisions of Schedule 11 specified in paragraph 8.

4. Section 63(2) (extension of youth justice system to 17 year olds: order making power).

5. Section 64 (juvenile justice centre orders for 17 year olds).

6. Section 85(1) (minor and consequential amendments) to the extent necessary to bring into force the provisions of Schedule 12 specified in paragraph 9.

7. Section 86 (repeals and revocations) to the extent necessary to bring into force the provisions of Schedule 13 specified in paragraph 10.

8. In Schedule 11 (extension of youth justice system to 17 year olds) paragraphs 1, 3, 4 and 6 to 24.

9. In Schedule 12 (minor and consequential amendments)—

(a) paragraph 27(a) insofar as it inserts a definition of "child" into Article 39 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**2**);

(b) paragraph 60 insofar as it substitutes new section 4(1)(c) of the Sex Offenders Act 1997(**3**);

(c) paragraph 69(3) and paragraph 69(1) insofar as it relates to it;

(d) paragraph 72 except sub-paragraph (a); and

(e) paragraph 73(2)(c) and (3), and paragraph 73(1) insofar as it relates to it.

10. In Schedule 13 (repeals and revocations), the entry in respect of Article 54(3)(b) of the Criminal Justice (Children) (Northern Ireland) Order 1998(**4**).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 30th August 2005 the provisions of the Justice (Northern Ireland) Act 2002 specified in the Schedule.

(**2**) S.I.1981/228 (N.I. 8).
(**3**) 1997 c. 51.
(**4**) S.I. 1998/1504 (N.I. 9).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

Provision	*Date of Commencement*	*S.R. No.*
Section 2 (appointment and removal of judiciary: introductory) Section 3 (Judicial Appointments Commission) Section 5(2) to (9) (appointment to listed judicial offices)	15.6.2005	2005 No. 281 (C. 21)
Section 9(1) to (3), (7) to (11) and (13) (lay magistrates)	1.9.2004	2004 No. 301 (C. 11)
Section 9(12) (lay magistrates: exercise of functions by Lord Chief Justice, Lord Justices of Appeal, judges of the High Court and county court judges) Section 10(1) to (5) and (7) (transfer of functions of justices of the peace) Section 10(6) (partially) Section 11 (transfer of functions of lay panellists)	1.4.2005	2005 No. 109 (C. 9)
Section 9(4), (5), (6) and (14) (lay magistrates) Section 17 (secretaries to Lord Chief Justice) Section 18(1) to (9) (qualification for appointment) Section 19 (judicial oath or affirmation) Section 21 (judicial pensions: pension sharing)	15.10.2002	2002 No. 319 (C. 27)
Section 29 (Public Prosecution Service) Section 30(1) to (10) (Director of Public Prosecutions)	13.6.2005	2005 No. 281 (C. 21)