
STATUTORY INSTRUMENTS

2010 No. 976

The Northern Ireland Act 1998 (Devolution
of Policing and Justice Functions) Order 2010

PART 1

Introductory

Title and commencement

1.—(1) This Order may be cited as the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

(2) This Order shall come into force on the day on which the Northern Ireland Act 1998 (Amendment of Schedule 3) Order 2010(1) (which devolves to the Northern Ireland Assembly legislative power in relation to policing and justice matters) comes into force.

Extent

2.—(1) Subject to paragraph (2), an amendment or repeal contained in this Order has the same extent as the enactment or instrument or relevant part of the enactment or instrument to which the amendment or repeal relates.

(2) Nothing in this Order extends to a territory outside the United Kingdom.

Definitions

3. In this Order—

“the Department of Justice” means the Department of Justice in Northern Ireland;

“instrument” includes (in particular) Royal Charters, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, codes, guidance, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, warrants, certificates, deeds and other documents;

“property” includes rights and interests of any description;

“records” includes written records and records conveying information by any other means;

“relevant function” means—

(a) a function transferred by article 4(1), 15(1) to (4) or 17(2), or

(b) a function transferred by or by virtue of any provision of Schedules 2 to 19,

and the cases covered by paragraphs (a) and (b) include (in particular) cases where the function transferred was part of a larger function (for example, where a function that is exercisable in relation to England and Wales and Northern Ireland is transferred so far as it is exercisable in relation to Northern Ireland);

“relevant property or liability” means any property or liability transferred by article 18;
“transferor” and “transferee”, in relation to a relevant function or any relevant property or liability, mean respectively—

- (a) the person from whom the function or property or liability is transferred, and
- (b) the person to whom the function or property or liability is transferred.