

## SCHEDULES

### SCHEDULE 7

#### Criminal Justice and Public Order Act 1994

6. After section 128 insert—

**“128A Pay and related conditions: Northern Ireland**

(1) The Department of Justice in Northern Ireland may by regulations provide for the establishment, maintenance and operation of procedures for the determination from time to time of—

- (a) the rates of pay and allowances to be applied to the prison service; and
- (b) such other terms and conditions of employment in that service as may appear to the Department of Justice to fall to be determined in association with the determination of rates of pay and allowances.

(2) Before making any regulations under this section the Department of Justice shall consult with such organisations appearing to it to be representative of persons working in the prison service and with such other persons as it thinks fit.

(3) The power to make regulations under this section shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

(4) Regulations made under this section shall be subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).

(5) Regulations under this section may—

- (a) provide for determinations with respect to matters to which the regulations relate to be made wholly or partly by reference to such factors, and the opinion or recommendations of such persons, as may be specified or described in the regulations;
- (b) authorise the matters considered and determined in pursuance of the regulations to include matters applicable to times and periods before they are considered or determined;
- (c) make such incidental, supplemental, consequential and transitional provision as the Department of Justice thinks fit; and
- (d) make different provision for different cases.

(6) For the purposes of this section, the prison service comprises all the individuals who hold any post, other than as chaplain or assistant chaplain, to which they have been appointed for the purposes of section 2(2) of the Prison Act (Northern Ireland) 1953<sup>(1)</sup>.”

**Commencement Information**

**II** Sch. 7 para. 6 in force at 12.4.2010, see [art. 1\(2\)](#)

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(1) 1953 c. 18 (N.I.).

**Changes to legislation:** *There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 6. (See end of Document for details)*

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