



2011 CHAPTER 24

PART 10

SUPPLEMENTARY PROVISIONS

Supplementary, incidental, consequential and transitional provision, etc

106.—(1) The Department may by order make—

- (a) such supplementary, incidental or consequential provision,
- (b) such transitory, transitional or saving provision,

as it considers appropriate for the general purposes, or any particular purpose, of this Act, or in consequence of, or for giving full effect to, any provision made by this Act.

(2) An order under subsection (1) may amend, repeal, revoke or otherwise modify any statutory provision (including this Act).

(3) In subsection (2) “modify” includes the making of additions, omissions, exceptions and amendments.

(4) Nothing in this Act affects the generality of the power conferred by this section.

(5) No order may be made under subsection (1) containing provision which amends or repeals a provision of an Act of Parliament or Northern Ireland legislation unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.

Regulations and orders

107.—(1) Regulations made by the Department under this Act are subject to negative resolution.

(2) Subject to subsection (3), orders made by the Department under this Act are subject to negative resolution.

(3) Subsection (2) does not apply to—

- (a) an order under section 1(7), 5(1)(c), 6(3), 40(8), 59(2), 77(5) or 111(3), paragraph 7(3) of Schedule 1 or paragraph 7(3) of Schedule 2;
- (b) an order under subsection (1) of section 106 to which subsection (5) of that section applies.

(4) Regulations and orders made by the Department under this Act may contain such incidental, supplementary, transitional and saving provisions as appear to the Department to be necessary or expedient.

Interpretation

108. In this Act—

“the Department” means the Department of Justice;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

Transitional provisions and savings

109. Schedule 6 (which contains transitional provisions and savings) has effect.

Minor and consequential amendments and repeals

110.—(1) The statutory provisions set out in Schedule 7 have effect subject to the minor and consequential amendments specified in that Schedule.

(2) The statutory provisions set out in Schedule 8 are repealed to the extent specified in the second column of that Schedule.

Commencement

111.—(1) The following provisions of this Act come into operation on the day after this Act receives Royal Assent—

- (a) section 52;
- (b) section 57;
- (c) sections 93 and 94;
- (d) section 102 and 106 to 108;
- (e) section 109 and Schedule 6;
- (f) this section;
- (g) section 112;

- (h) paragraphs 1, 3, 5 and 11 of Schedule 7 (and section 110(1) so far as relating to those paragraphs);
 - (i) in Part 5 of Schedule 8, the repeals in the Vagrancy Act 1824 (c. 83), the Criminal Justice Act 1988 (c. 33), the Justice (Northern Ireland) Act 2002 (c. 26) and the Criminal Justice (Northern Ireland) Order 2008 (NI 1) (and section 110(2) so far as relating to those repeals).
- (2) The following provisions of this Act come into operation two months after the day on which this Act receives Royal Assent—
- (a) section 51;
 - (b) section 53;
 - (c) paragraphs 12 and 15 of Schedule 7 (and section 110(1) so far as relating to those paragraphs);
 - (d) in Part 5 of Schedule 8, the repeals in the Offences against the Person Act 1861 (c. 100), the Sexual Offences Act 2003 (c. 42) and the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 (NI 14) (and section 110(2) so far as relating to those repeals).
- (3) The other provisions of this Act come into operation on such day or days as the Department may by order appoint.
- (4) Without prejudice to section 107(4), an order under subsection (3) may contain such transitional or transitory modifications of this Act as appear to the Department to be necessary or expedient in connection with any provision brought into operation by the order.

Short title

112. This Act may be cited as the Justice Act (Northern Ireland) 2011.