

*These notes refer to the Criminal Justice Act (Northern Ireland)
2013 (c.7) which received Royal Assent on 25 April 2013*

Criminal Justice Act (Northern Ireland) 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 13: Criminal proceedings on Sunday

Section 13 disappplies section 7 of the Sunday Observance Act (Ireland) 1695 in specified circumstances and subject to certain requirements. (Section 7 of the Act otherwise prohibits the service or execution on a Sunday of any writ, process, order, judgment or decree except in certain cases.) Subsection (1)(a) and (b) disappplies section 7 for the holding of a magistrates' court in the exercise of its criminal jurisdiction. Subsection (2) allows the Department of Justice to commence this provision by order and for any such order to be effective for a one month period from the date the order appoints. Subsection (3) allows for further orders to be made on separate occasions and on the same basis. Subsection (5) requires a series of steps before an order can be made. Such an order requires the approval of the First Minister and deputy First Minister acting jointly. An order cannot be made unless the Chief Constable has made a request to the Department and the Department, after consulting with the Lord Chief Justice, is satisfied that exceptional circumstances exist for the making of an order.