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STATUTORY INSTRUMENTS

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**2008 No. 1216**

**The Criminal Justice (Northern Ireland) Order 2008**

**PART 2**

**SENTENCING**

**CHAPTER 5**

**CURFEWS AND ELECTRONIC MONITORING**

*Powers to impose curfew or electronic monitoring requirements*

**Powers to impose curfew or electronic monitoring requirements**

**35.**—(1) Subject to the following provisions of this Chapter, a curfew requirement or an electronic monitoring requirement may be made—

- (a) a condition of bail granted by a court;
- (b) a condition of a licence under—
  - (i) this Part;
  - (ii) the Life Sentences (Northern Ireland) Order 2001 (NI 2);
  - (iii) Article 46 of the Criminal Justice (Children) (Northern Ireland) Order 1998 (NI 9) (discharge on licence of person sentenced to be detained under Article 45(2) of that Order);
  - (iv) [<sup>F1</sup>Article 26 of the Criminal Justice (Northern Ireland) Order 1996 (NI 24);]
- (c) a requirement of—
  - (i) a probation order;
  - (ii) the youth conference plan to which a youth conference order relates.

(2) Article 15(5) of the Criminal Justice (Northern Ireland) Order 1996 (NI 24) (combination order treated as probation order) applies for the purposes of this Article as it applies for the purposes of Part 2 of that Order.

(3) [<sup>F2</sup>Article 25(2)(b) of that Order (custody probation order treated as probation order) applies for the purposes of this Article as it applies for the purposes of Part 2 of that Order.]

**Textual Amendments**

**F1** Art. 35(1)(b)(iv) repealed (prosp.) by Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), arts. 1(4), 102(2), **Sch. 6 Pt. 1**

**F2** Art. 35(3) repealed (prosp.) by Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)), arts. 1(4), 102(2), **Sch. 6 Pt. 1**

**Changes to legislation:**

The Criminal Justice (Northern Ireland) Order 2008, Section 35 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 35(1)(b)(iv) repealed by [S.I. 2008/1216 \(N.I.\) Sch. 6 Pt. 1](#)
- art. 35(3) repealed by [S.I. 2008/1216 \(N.I.\) Sch. 6 Pt. 1](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 Pt. 1 para. 31A renumbered as 31(B) by [2022 c. 19 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- art. 19(1A) inserted by [2015 c. 9 \(N.I.\) s. 82](#)
- art. 45(1A) inserted by [2011 c. 24 \(N.I.\) s. 58\(2\)](#)