

**Changes to legislation:** *The Criminal Justice (Northern Ireland) Order 2008, Paragraph 5 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. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 5

#### AMENDMENTS

##### *The Mental Health (Northern Ireland) Order 1986 (NI 4)*

5.—(1) In Article 44 (power of court to order hospital admission or guardianship) after paragraph (1) insert—

“(1A) In the case of an offence the sentence for which would otherwise fall to be imposed—

- (a) under Article 70(2) of the Firearms (Northern Ireland) Order 2004 (NI 3),
- (b) under paragraph 2(4) or (5) of Schedule 2 to the Violent Crime Reduction Act 2006 (c. 38), or
- (c) under Article 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008,

nothing in those provisions shall prevent a court from making an order under paragraph (1) for the admission of the offender to a hospital

(1B) References in paragraph (1A) to a sentence falling to be imposed under any of the provisions mentioned in that paragraph are to be read in accordance with Article 4(2) of the Criminal Justice (Northern Ireland) Order 2008.”.

(2) In Articles 56(3) and 79(5A) for “Life Sentence Review Commissioners” (wherever occurring) substitute “ Parole Commissioners for Northern Ireland ”.

#### **Commencement Information**

- II** [Sch. 5 para. 5](#) wholly in operation at 15.5.2008; see [art. 1\(4\)](#) and [S.R. 2008/217](#), [art. 2](#), [Sch.](#) (with savings and transitory provision in [arts. 3, 4](#))

**Changes to legislation:**

The Criminal Justice (Northern Ireland) Order 2008, Paragraph 5 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 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\(2\)](#)