



Northern Ireland (Emergency Provisions) (Amendment) Act 1975

1975 CHAPTER 62

An Act to amend the Northern Ireland (Emergency Provisions) Act 1973; to make further provision with respect to criminal proceedings, the maintenance of order and the detection of crime in Northern Ireland; to provide for the detention of terrorists there; and for connected purposes. [7th August 1975]

Modifications etc. (not altering text)

C1 “The principal Act” means the [Northern Ireland \(Emergency Provisions\) Act 1973 \(c. 53\)](#)

Trial of certain offences, etc.

1 Admissibility of written statements made outside Northern Ireland.

- (1) Section 1 of the ^{M1}Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (admissibility of written statements in criminal proceedings other than preliminary investigations and preliminary enquiries), section 3 of the ^{M2}Criminal Procedure (Committal for Trial) Act (Northern Ireland) 1968 (admissibility of written statements in preliminary enquiries) . . . ^{F1} shall apply to written statements made in Great Britain as well as to written statements made in Northern Ireland.
- (2) The said section 3 shall apply also to written statements made outside the United Kingdom and (after the commencement of section 9 of the ^{M3}Criminal Jurisdiction Act 1975) the Republic of Ireland, but, in relation to such statements, that section shall have effect with the omission of subsection (2)(c).

Textual Amendments

F1 Words repealed by [S.I. 1979/1714, Sch. 2](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

Marginal Citations

- M1** 1968 c. 28 (N.I.)
- M2** 1968 c. 32 (N.I.)
- M3** 1975 c. 59.

2—5 **F2**

Textual Amendments

F2 Ss. 2–5, 6(1)(2)(a) repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

6 (1) **F3**

(2) (a) **F3**

(b) in paragraph 2(3) of Schedule 2 to the Criminal Jurisdiction Act 1975 for the words from “on that date” onwards there shall be substituted the words “on that date any committal for trial of the offence by a county court or by a court of assize other than the Belfast City Commission shall be treated as a committal to that Commission”.

(3) This section shall not apply to a trial on indictment where the accused was committed to the Belfast Recorder’s Court before the commencement of this Act.

Textual Amendments

F3 Ss. 2–5, 6(1)(2)(a) repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Modifications etc. (not altering text)

C2 The text of Ss. 6(2)(b)(3), 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

7 Repeal of s.5 of principal Act.

Section 5 of the principal Act (admissibility in certain circumstances in criminal proceedings for scheduled offences of written statements made and signed in the presence of a constable) shall cease to have effect and section 30(6) of that Act shall apply accordingly.

Modifications etc. (not altering text)

C3 The text of Ss. 6(2)(b)(3), 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

8 **F4**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

Textual Amendments

F4 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Powers of detention, search, seizure, etc.

9 Detention of terrorists, etc.

- (1) **F5**
- (2) The transitional provisions set out in Part II of Schedule 1 to this Act shall have effect.
- (3) **F5**

Textual Amendments

F5 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

10, 11. **F6**

Textual Amendments

F6 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Offences against public security and public order

12, 13. **F7**

Textual Amendments

F7 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

14 Riotous and disorderly behaviour.

... **F8** section 9(1) of the ^{M4}Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 shall have effect as originally enacted.

Textual Amendments

F8 Words repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

Marginal Citations

M4 1968 c. 28 (N.I)

15— **F9**
19.

Textual Amendments

F9 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Miscellaneous and general

20 Interpretation, etc.

- (1) In this Act “the principal Act” has the meaning assigned by section 3 above and any expression used in this Act and in the principal Act shall have the same meaning in this Act as in that Act.
- (2) Any reference in this Act, except so far as the context otherwise requires, to an enactment shall be construed as a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.
- (3) It is hereby declared that, in applying section 38(1) of the ^{M5}Interpretation Act 1889 (effect of repeal and re-enactment) for the construction of references in this Act to other Acts, account is to be taken of repeal and re-enactment by a Measure of the Northern Ireland Assembly or an Order in Council.

Marginal Citations

M5 1889 c. 63.

21, 22. **F10**

Textual Amendments

F10 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

23 †Short title, repeals and extent.

- (1) This Act may be cited as the Northern Ireland (Emergency Provisions) (Amendment) Act 1975.
- (2) **F11**
- (3) This Act shall extend to Northern Ireland only.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975. (See end of Document for details)

Textual Amendments

F11 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Modifications etc. (not altering text)

C4 Unreliable marginal note

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SCHEDULES

SCHEDULE 1

^{F12}PART I

Textual Amendments

F12 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

PART II

TRANSITIONAL PROVISIONS

- 16 (1) Any interim custody order or detention order made under Schedule 1 to the principal Act which is in force immediately before the commencement of this Act shall have effect as if it had been made under paragraph 4 or paragraph 8 above, as the case may be, and, in the case of an interim custody order, as if it had been so made immediately upon the commencement of this Act.
- (2) Any statement served under paragraph 13 of Schedule 1 to the principal Act shall have effect as if it had been served under paragraph 6 above immediately upon the commencement of this Act.
- (3) Any proceedings under Part III of Schedule 1 to the principal Act which have begun but are not completed before the commencement of this Act shall be continued as if this Act had not been passed.
- (4) In so far as any other thing made or done under Schedule 1 to the principal Act could have been made or done under any provision of Part I of this Schedule, it shall have effect as if it had been made or done under that provision.

^{F13}^{F13}SCHEDULES 2, 3

Textual Amendments

F13 Ss. 8, 9(1)(3), 10–13, 15–19, 21–23(2), Sch. 1 Pt. 1, Schs. 2, 3 repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), **Sch. 6 Pt. 1**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) (Amendment) Act 1975.