



# Northern Ireland (Emergency Provisions) Act 1996

## 1996 CHAPTER 22

### PART VIII

#### SUPPLEMENTARY

#### **62 Commencement, duration, expiry and revival of provisions of this Act**

- (1) This Act shall come into force on 25th August 1996.
- (2) The temporary provisions of this Act, that is to say, Parts I to VII except—
  - (a) section 7, Part III of Schedule 1 and, so far as they relate to offences which are scheduled offences by virtue of that Part, sections 3, 10 and 11; and
  - (b) sections 55 and 56,shall (subject and without prejudice to subsection (3)) expire with 15th June 1997.
- (3) The Secretary of State may by order provide—
  - (a) that all or any of the temporary provisions of this Act which are for the time being in force (including any in force by virtue of an order under this section) shall continue in force for a period not exceeding twelve months from the coming into operation of the order;
  - (b) that all or any of those provisions which are for the time being in force shall cease to be in force; or
  - (c) that all or any of those provisions which are not for the time being in force shall come into force again and remain in force for a period not exceeding twelve months from the coming into operation of the order.
- (4) An order under subsection (3) which relates to section 20, 23, 24, 25 or 26 may provide for the continuance, cessation or revival of that section—
  - (a) generally,
  - (b) only in so far as it concerns powers of members of Her Majesty's Forces, or
  - (c) except in so far as it concerns powers of members of Her Majesty's Forces.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Secretary of State shall be deemed to have made an order under subsection (3)(b) above in respect of the provisions of section 36 and Schedule 3 with effect immediately after the coming into force of those provisions on 25th August 1996.
- (6) The coming into force of any provision of sections 10 to 13 by virtue of an order made under subsection (3)(c) above shall not affect any trial on indictment where the indictment has been presented before the coming into force of that provision, and any such trial shall be conducted as if the provision had not come into force.
- (7) Where before the coming into force of subsection (1) of section 10 by virtue of such an order a person has been committed for trial for a scheduled offence and the indictment has not been presented, then, on the coming into force of that subsection, he shall, if he was committed to the Crown Court sitting elsewhere than in Belfast, be treated as having been committed—
  - (a) to the Crown Court sitting in Belfast; or
  - (b) where a direction has been given under that subsection which concerns the trial, to the Crown Court sitting at the place specified in the direction.
- (8) The expiry or cesser of any provision mentioned in subsection (6) shall not affect the application of that provision to any trial on indictment where the indictment has been presented before the expiry or cesser; and the expiry or cesser of section 15 or 16 shall not affect the operation of that section in relation to an offence committed while it, or a corresponding earlier enactment, was in force.
- (9) It is hereby declared that the expiry or cesser of any provision of section 10 shall not affect—
  - (a) any committal of a person for trial in accordance with that provision to the Crown Court sitting either in Belfast or elsewhere, or
  - (b) any committal of a person for trial which, in accordance with that provision, has taken effect as a committal for trial to the Crown Court sitting elsewhere than in Belfast,in a case where the indictment has not been presented.
- (10) This Act shall, by virtue of this subsection, be repealed as from the end of 24th August 1998.