

## SCHEDULES

### SCHEDULE 1

#### NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT 1996

##### *Amendments during temporary extension*

- 12 (1) Part V (private security services) shall have effect subject to the provisions of this paragraph.
- (2) On issuing a certificate under section 39 the Secretary of State may impose a condition if satisfied that it is necessary in order to prevent an organisation within section 39(8) from benefiting from the certificate.
- (3) To the grounds for refusal to issue a certificate and for revocation of a certificate in sections 39(1) and (5) there shall be added the ground that the Secretary of State is satisfied that the applicant for or holder of a certificate has failed to comply with a condition imposed by virtue of sub-paragraph (2) above.
- (4) The applicant for a certificate may appeal to the High Court if—
- (a) the application is refused,
  - (b) a condition is imposed on the grant of the certificate, or
  - (c) the certificate is revoked.
- (5) Where an appeal is brought under sub-paragraph (4), the Secretary of State may issue a certificate that the decision to which the appeal relates—
- (a) was taken for the purpose of preventing benefit from accruing to an organisation which was within section 39(8), and
  - (b) was justified by that purpose.
- (6) If he intends to rely on a certificate under sub-paragraph (5), the Secretary of State shall notify the appellant.
- (7) Where the appellant is notified of the Secretary of State's intention to rely on a certificate under sub-paragraph (5)—
- (a) he may appeal against the certificate to the Tribunal established under section 91 of the Northern Ireland Act 1998, and
  - (b) sections 90(3) and (4), 91(2) to (9) and 92 of that Act (effect of appeal, procedure, and further appeal) shall apply.
- (8) Rules made under section 91 or 92 of that Act which are in force immediately before the passing of this Act shall have effect in relation to a certificate under sub-paragraph (5)—
- (a) with any necessary modifications, and
  - (b) subject to any later rules made by virtue of sub-paragraph (7)(b).