

SCHEDULES

SCHEDULE 15

CONSEQUENTIAL AMENDMENTS

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

- 8 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as follows.
- (2) In Article 2(2) (interpretation) for the definitions of “the terrorism provisions” and “terrorism” substitute—
- “the terrorism provisions” means section 41 of the Terrorism Act 2000, and any provision of Schedule 7 to that Act conferring a power of detention;
- “terrorism” has the meaning given in section 1 of that Act.”
- (3) In Article 2(3) (definition of police detention) for “section 14 of the Prevention of Terrorism (Temporary Provisions) Act 1989 or under paragraph 6 of Schedule 5 to that Act by an examining officer who is a constable” substitute “section 41 of the Terrorism Act 2000”.
- (4) For Article 4(3)(b) (provisions relating to powers to stop and search) substitute—
- “(b) sections 85, 95 and 116 of and Schedule 10 to the Terrorism Act 2000, and”.
- (5) In Article 11(3) (special provisions as to access) for “section 17 of, and Schedule 7 to, the Prevention of Terrorism (Temporary Provisions) Act 1989” substitute “sections 37 and 38 of, and Schedules 5 and 6 to, the Terrorism Act 2000”.
- (6) In Article 30(3) (information to be given on arrest) for “section 19(2) of the Northern Ireland (Emergency Provisions) Act 1996” substitute “section 83(2) of the Terrorism Act 2000”.
- (7) For Article 32(15)(b) (arrest elsewhere than at a police station) substitute—
- “(b) any provision of the Terrorism Act 2000.”
- (8) In Article 34(10) (search upon arrest) for “section 15(3), (4) and (5) of the Prevention of Terrorism (Temporary Provisions) Act 1989” substitute “section 43 of the Terrorism Act 2000”.
- (9) For Article 51(b) (savings: Part V) substitute—
- “(b) the powers conferred by virtue of section 41 of, or Schedule 7 to, the Terrorism Act 2000 (powers of arrest and detention);”.
- (10) In Article 60 (tape-recording of interviews), omit paragraph (2).
- (11) For Article 61(9)(b) (fingerprinting: application) substitute—

Status: This is the original version (as it was originally enacted).

“(b) applies to a person arrested or detained under the terrorism provisions”.

(12) For Article 62(12) (intimate samples: application) substitute—

“(12) Nothing in this Article applies to a person arrested or detained under the terrorism provisions; and paragraph (1A) shall not apply where the non-intimate samples mentioned in that paragraph were taken under paragraph 10 of Schedule 8 to the Terrorism Act 2000.”

(13) For Article 63(11) (non-intimate samples: application) substitute—

“(11) Nothing in this Article applies to a person arrested or detained under the terrorism provisions”.

(14) In Article 66 (codes of practice), omit paragraph (12).

(15) In Article 74(9) (confessions) for “section 12 of the Northern Ireland (Emergency Provisions) Act 1996” substitute “section 76 of the Terrorism Act 2000”.

(16) In Article 76(2)(b) (exclusion of unfair evidence) for “subsection (1) of section 12 of the Northern Ireland (Emergency Provisions) Act 1996” substitute “subsection (1) of section 76 of the Terrorism Act 2000”.