

2005 No. 2558

PRISONS

**The Northern Ireland (Sentences) Act 1998 (Specified
Organisations) Order 2005**

Approved by both Houses of Parliament

Made - - - - 13th September 2005

Laid before Parliament 14th September 2005

Coming into force - - 14th September 2005

Whereas the Secretary of State considers it necessary by reason of urgency for this Order to be made without a draft having been approved by resolution of each House of Parliament:

And whereas the Secretary of State believes that the organisations specified in the Schedule to this Order are concerned in terrorism connected with the affairs of Northern Ireland, or in promoting or encouraging it, and that they have not established or are not maintaining a complete and unequivocal ceasefire^(a):

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 3(8) of the Northern Ireland (Sentences) Act 1998, hereby makes the following Order:

1.—(1) This Order may be cited as the Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 2005 and shall come into force on 14th September 2005.

(2) The Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 2004^(b) is hereby revoked.

2. The organisations specified in the Schedule to this Order are specified organisations for the purposes of the Northern Ireland (Sentences) Act 1998.

Northern Ireland Office
13th September 2005

Peter Hain
One of Her Majesty's Principal Secretaries of State

^(a) See section 3(10) of the Northern Ireland (Sentences) Act 1998 (c.35) which requires the Secretary of State to review the list of specified organisations.
^(b) S.I. 2004/3009.

SCHEDULE

Article 2

Specified Organisations

The Continuity Irish Republican Army

The Loyalist Volunteer Force

The organisation using the name “The Orange Volunteers” and in the name of which a statement described as a press release was published on
14 October 1998

The “Real” Irish Republican Army

The Red Hand Commando

The Red Hand Defenders

The Ulster Volunteer Force

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 3 of the Northern Ireland (Sentences) Act 1998 (“the 1998 Act”) the Secretary of State must specify an organisation if he believes that it is concerned in terrorism connected with the affairs of Northern Ireland, or in promoting or encouraging it, and that it has not established or is not maintaining a complete and unequivocal ceasefire. The Secretary of State is obliged to review the list of specified organisations from time to time.

Following such a review the Secretary of State has decided that the Ulster Volunteer Force and the Red Hand Commando should be specified and that the Continuity IRA, the ‘Real’ IRA, the Loyalist Volunteer Force, the Red Hand Defenders and the Orange Volunteers (which were specified by S.I.2004/3009 which this Order revokes) should continue to be specified.

The effect of specifying an organisation is that a prisoner who is, or who would be likely to become, a supporter of such an organisation, is ineligible for release under the 1998 Act or, if released, is liable to recall to prison.

STATUTORY INSTRUMENTS

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