

## SCHEDULES

### SCHEDULE 10

#### Serious Crime Act 2007

- 10.**—(1) Amend section 89 (orders) as follows.
- (2) In subsection (3) after “made” insert “by statutory instrument”.
- (3) In subsection (6)—
- (a) after “order” insert “made by statutory instrument”;
  - (b) for “section 7” substitute “section 7(1)”; and
  - (c) omit “or (11)”.
- (4) After subsection (6) insert—
- “(7) Any power of the Department of Justice in Northern Ireland to make an order under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(1).
- (8) Any power of the Department of Justice to make an order under this Act—
- (a) may be exercised so as to make different provision for different cases or descriptions of case or different purposes;
  - (b) includes power to make such supplementary, incidental, consequential, transitional, transitory or saving provision as the Department considers appropriate.
- (9) No order is to be made by the Department of Justice under section 4(5), 49(6) or 63(4) unless a draft of it has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (10) Section 41(3) of the Interpretation Act (Northern Ireland) 1954(2) applies for the purposes of subsection (9) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.
- (11) An order made by the Department of Justice under section 7(2), 24(9), 28(6) or (11), 29 or 40 is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(3)).”

#### Commencement Information

- II** Sch. 10 para. 10 in force at 12.4.2010, see [art. 1\(2\)](#)

(1) [S.I. 1979/1573 \(N.I. 12\)](#).

(2) [1954 c. 33 \(N.I.\)](#). Section 41(3) was substituted by [S.I. 1999/663](#).

(3) Section 41(6) was amended by [S.I. 1999/663](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 10.