Draft Order laid before Parliament under section 9(7)(b) of the Justice and Security (Northern Ireland) Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No. ****

CRIMINAL LAW, NORTHERN IRELAND

JUDICATURE, NORTHERN IRELAND

JUSTICE, NORTHERN IRELAND

The Justice and Security (Northern Ireland) Act 2007 (Extension of Duration of Non-jury Trial Provisions) Order 2021

Made - - - -	***
Coming into force - -	***

The Secretary of State makes the following Order in exercise of the power conferred by section 9(2) of the Justice and Security (Northern Ireland) Act 2007(**a**).

In accordance with section 9(7)(b) of that Act, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Justice and Security (Northern Ireland) Act 2007 (Extension of Duration of Non-jury Trial Provisions) Order 2021 and comes into force on the day after the day on which it is made.

(2) Except as provided for in paragraph (3), this Order extends to Northern Ireland only.

(3) To the extent that article 2 relates to amendments in Schedule 1 to the Justice and Security (Northern Ireland) Act 2007, article 2 has the same extent as those amendments.

Extension of duration of non-jury trial provisions

2. The effective period in respect of the non-jury trial provisions, as provided for in section 9(1) of the Justice and Security (Northern Ireland) Act 2007, is further extended(**b**).

(**a**) 2007 c. 6.

(**b**) Section 9(3)(b) of the Justice and Security (Northern Ireland) Act 2007 provides that the effect of an order under subsection (2) is to extend or further extend the effective period for the period of two years beginning with the time when it would otherwise have ended. S.I. 2009/2090 extended the effective period for a period of 2 years and S.I. 2011/1720, 2013/1619, 2015/1572, 2017/798 and 2019/1097 each further extended the effective period for a period of 2 years.

Name
Secretary of State
Date Northern Ireland Office

EXPLANATORY NOTE

(This note is not part of the Order)

Sections 1 to 8 of, and Schedule 1 to, the Justice and Security (Northern Ireland) Act 2007 (c. 6) (the "2007 Act") provide for trial on indictment without a jury ("the non-jury trial provisions"). Section 9(1) of the 2007 Act provides that the non-jury trial provisions expire at the end of the period of two years beginning with the day on which section 1 of the 2007 Act comes into force ("the effective period"). Section 1 came into force on 1st August 2007. Section 9(2) enables the Secretary of State to extend the effective period by order. Section 9(3)(b) provides that the effect of such an order is to extend the effective period for two years beginning with the time when the effective period would end but for the order.

The initial effective period ran until 31st July 2009. The effective period was subsequently extended by S.I. 2009/2090 so as to end on 31st July 2011, by S.I. 2011/1720 so as to end on 31st July 2013, by S.I. 2013/1619 so as to end on 31st July 2015, by S.I. 2015/1572 so as to end on 31st July 2017, by S.I. 2017/798 so as to end on 31st July 2019 and by S.I. 2019/1097 so as to end on 31st July 2021.

Article 2 of this Order further extends the effective period so that the non-jury trial provisions will expire on 31st July 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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