



STATUTORY INSTRUMENTS.

S.I. No. 560 of 2010



CRIMINAL JUSTICE ACT 1984 (ELECTRONIC RECORDING OF
INTERVIEWS) (AMENDMENT) REGULATIONS 2010

(Prn. A10/1754)

CRIMINAL JUSTICE ACT 1984 (ELECTRONIC RECORDING OF INTERVIEWS) (AMENDMENT) REGULATIONS 2010

I, DERMOT AHERN, Minister for Justice and Law Reform, in exercise of the powers conferred on me by section 27 of the Criminal Justice Act 1984 (No. 22 of 1984) (as adapted by the Justice, Equality and Law Reform (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 216 of 2010)), hereby make the following regulations:

1. These Regulations may be cited as the Criminal Justice Act 1984 (Electronic Recording of Interviews) (Amendment) Regulations 2010.

2. In these Regulations “Principal Regulations” means the Criminal Justice Act 1984 (Electronic Recording of Interviews) Regulations 1997 (S.I. No. 74 of 1997).

3. Regulation 2(1) of the Principal Regulations is amended by—

(a) substituting the following definition for the definition of “electronic recording”:

“ ‘electronic recording’ means a recording on tape of—

(a) an oral communication, statement or utterance, or

(b) a series of visual images which, when reproduced on tape, appear as a moving picture,

or both;”

and

(b) substituting the following definition for the definition of “tape”:

“ ‘tape’ includes—

(a) a disc, magnetic tape, soundtrack or other device in which sounds or signals may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in audible form, and

(b) a film, disc, magnetic tape or other device in which visual images may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in visual form;”.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 30th November, 2010.

4. Regulation 3 of the Principal Regulations is amended by substituting the following paragraphs for paragraph (2):

“(2) These Regulations shall apply to interviews, including the taking and reading back of statements, that take place in a station with persons who have been detained under any of the following provisions:

- (a) section 30 of the Act of 1939;
- (b) section 4 of the Act of 1984;
- (c) section 2 of the Act of 1996;
- (d) section 42 of the Criminal Justice Act 1999 (No. 10 of 1999);
- (e) section 50 of the Act of 2007;
- (f) section 16 or 17 of the Criminal Procedure Act 2010 (No. 27 of 2010).

(3) For the avoidance of doubt it is hereby declared that a reference to any statutory provision specified in a subparagraph of paragraph (2) under which a person may be detained shall include a reference to any other statutory provision pursuant to which a person may be arrested again and detained and which applies the first-mentioned statutory provision or another of the statutory provisions specified in paragraph (2) with or without modification in relation to such detention.”.



GIVEN under my Official Seal,
25 November 2010.

DERMOT AHERN,
Minister for Justice and Law Reform.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These regulations amend the Criminal Justice Act, 1984 (Electronic Recording of Interviews) Regulations, 1997.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€1.27

