



Administration of Justice Act 1956

1956 CHAPTER 46

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

51 Modification of Foreign Judgments (Reciprocal Enforcement) Act, 1933, in relation to certain parts of Her Majesty's dominions

Where an Order in Council is made extending Part I of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, to a part of Her Majesty's dominions or other territory to which Part II of the Administration of Justice Act, 1920, extends, the said Part I shall, in relation to that part of Her Majesty's dominions or other territory, have effect as if—

- (a) the expression "judgment" included an award in proceedings on an arbitration if the award has, in pursuance of the law in force in the place where it was made, become enforceable in the same manner as a judgment given by a court in that place ;
- (b) the fact that a judgment was given before the coming into operation of the Order did not prevent it from being a judgment to which the said Part I applies, but the time limited for the registration of a judgment were, in the case of a judgment so given, twelve months from the date of the judgment or such longer period as may be allowed by the High Court in England and Wales, the Court of Session in Scotland, or the High Court in Northern Ireland;
- (c) any judgment registered in any of the said courts under the said Part II before the coming into operation of the Order had been registered in that court under the said Part I and anything done in relation thereto under the said Part II or any rules of court or other provisions applicable to the said Part II had been done under the said Part I or the corresponding rules of court or other provisions applicable to the said Part I.

52 Funds in court in Lancashire Chancery Court

- (1) Any funds for the time being held in the joint names of the Clerk of the Council of the Duchy of Lancaster, the registrar of any district of the Court of Chancery of the County Palatine of Lancaster and the Comptroller of the said court, being funds held in trust for any charity subject to the jurisdiction of the Charity Commissioners or of the Minister of Education, or in trust for any ecclesiastical corporation in the Church of England may, if the Vice-Chancellor, on an application made in that behalf to the registrar, as the case may be, either by the Charity Commissioners or the Church Commissioners, thinks fit so to direct, be transferred to the official trustees of charitable funds or the Church Commissioners respectively in trust for the charity or ecclesiastical corporation upon the trusts upon which the funds were held before the transfer.
- (2) Notwithstanding anything in the enactments relating to the said court or in any rule or order made thereunder, no fees shall be payable under those Acts or any such rule or order in respect of a transfer of funds made under this section.
- (3) In this section—
 - " ecclesiastical corporation " means any ecclesiastical corporation within the meaning of the Episcopal and Capitular Estates Act, 1851, and includes the incumbent of a benefice;
 - " benefice " means a benefice with or without cure of souls, and includes rectories and vicarages, perpetual curacies and endowed public chapels, parochial chapelries and chapelries or districts belonging or reputed to belong, or annexed or reputed to be annexed, to any church or chapel.

53 Qualifications of Land Registrars

A person shall not be qualified to be appointed Chief Land Registrar unless he is either a barrister or solicitor of not less than ten years' standing, and a person shall not be qualified to be appointed a registrar or an assistant registrar in the Land Registry unless he is either a barrister or solicitor of not less than five years' standing.

54 Financial provisions

- (1) There shall be paid out of moneys provided by Parliament—
 - (a) any remuneration allowed to a person appointed under section twenty-two of this Act; and
 - (b) any increase attributable to section twelve or section twenty-five of this Act in the sums which fall to be so paid under any enactment relating to the salaries or superannuation of officers of the Supreme Court or of county courts.
- (2) There shall be paid into the Exchequer any increase in the sums which fall to be so paid under subsection (3) of section twenty-five of the Administration of Justice (Pensions) Act, 1950.

55 Provisions as to Northern Ireland

- (1) The provisions of Parts I and II of the First Schedule to this Act (being provisions corresponding respectively to Part I and section forty of this Act) shall apply to Northern Ireland, and the enactments specified in Part III of that Schedule are hereby repealed as respects Northern Ireland.

- (2) The provisions of the said Schedule shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and he may appoint different days for different purposes; but nothing in Part I of the said Schedule shall affect proceedings in respect of any cause of action arising before the coming into operation thereof.
- (3) Section fifty-one of this Act shall extend to Northern Ireland.
- (4) For the purposes of section six of the Government of Ireland Act, 1920, this Act shall, so far as it relates to matters within the powers of the Parliament of Northern Ireland, be deemed to be an Act passed before the appointed day within the meaning of that section.
- (5) Save as provided by this section this Act shall not extend to Northern Ireland.

56 Provisions as to Channel Islands, Isle of Man, colonies, protectorates, etc.

- (1) Her Majesty may by Order in Council direct that any of the provisions of Part I of this Act specified in the Order shall extend, with such exceptions, adaptations and modifications as may be so specified, to any of the Channel Islands or the Isle of Man or make, for any of the Channel Islands or the Isle of Man, provision for any purposes corresponding to the purposes of any of the provisions of the said Part I.
- (2) Her Majesty may by Order in Council direct, either generally or in relation to particular courts or territories, that the Colonial Courts of Admiralty Act, 1890, shall have effect as if for the reference in subsection (2) of section two thereof to the Admiralty jurisdiction of the High Court in England there were substituted a reference to the Admiralty jurisdiction of that court as defined by section one of this Act, subject, however, to such adaptations and modifications of the said section one as may be specified in the Order.
- (3) Her Majesty may by Order in Council direct that any of the provisions of Part I of this Act specified in the Order (other than the provisions of section one of this Act) shall extend, with such exceptions, adaptations and modifications as may be specified in the Order, to any colony, or any country or place outside Her Majesty's dominions in which for the time being Her Majesty has jurisdiction, or any territory consisting partly of one or more colonies and partly of one or more of such countries or places.
- (4) Any Order in Council under this section may be revoked or varied by a subsequent Order in Council.

57 Short title, repeal, extent and commencement

- (1) This Act may be cited as the Administration of Justice Act, 1956.
- (2) Subject to any saving contained in this Act, the enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (3) This Act, except Part V and section fifty-one thereof, shall not extend to Scotland.
- (4) The provisions of this Act, other than Part V thereof, section fifty-five thereof and the First Schedule thereto, shall come into force on such day as the Lord Chancellor may appoint by order made by statutory instrument, and he may appoint different days for different purposes.