
STATUTORY INSTRUMENTS

1985 No. 754

The Foreign Limitation Periods (Northern Ireland) Order 1985

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order “the Statute of Limitations” means^[F1] the Limitation (Northern Ireland) Order 1989]

(3) Subject to paragraph (5), references in this Order to the law of any country (including Northern Ireland) relating to limitation shall, in relation to any matter, be construed as references to so much of the relevant law of that country as (in any manner) makes provision with respect to a limitation period applicable to the bringing of proceedings in respect of that matter in the courts of that country and shall include—

- (a) references to so much of that law as relates to, and to the effect of, the application, extension, reduction or interruption of that period; and
- (b) a reference, where under that law there is no limitation period which is so applicable, to the rule that such proceedings may be brought within an indefinite period.

(4) In paragraph (3) “relevant law”, in relation to any country, means the procedural and substantive law applicable, apart from any rules of private international law, by the courts of that country.

(5) References in this Order to the law of Northern Ireland relating to limitation shall not include the rules by virtue of which a court may, in the exercise of any discretion, refuse equitable relief on the grounds of acquiescence or otherwise; but, in applying those rules to a case in relation to which the law of any country outside Northern Ireland is applicable by virtue of Article (3)(1)(a) (not being a law that provides for a limitation period that has expired), a court in Northern Ireland shall have regard, in particular, to the provisions of the law that is so applicable.

(6) References in this Order to the Crown shall be construed in accordance with section 4(2) of the Statute of Limitations (which provides, amongst other things, for references to the Crown to include references to government departments and their officers).

Changes to legislation:

There are currently no known outstanding effects for the The Foreign Limitation Periods (Northern Ireland) Order 1985, Section 2.