

Northern Ireland Act, 1962

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Administration of Justice

Section

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CHAPTER 30

An Act to amend with regard to certain matters, and empower Her Majesty in Council to amend with regard to others, the law concerning the administration of justice in Northern Ireland; to enlarge the legislative power of the Parliament of Northern Ireland; to amend other law applicable to Northern Ireland; to lay down a rule for interpreting, in the application to Northern Ireland of Acts of Parliament, certain expressions commonly used therein; and to repeal obsolete, unnecessary or spent enactments applying to Northern Ireland. [3rd July, 1962]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Administration of Justice

1.—(1) Subject to the provisions of this section, to any restriction imposed by an enactment of the Parliament of Northern Ireland which has effect by virtue of this section, and to any restriction imposed by virtue of section four of this Act, an appeal shall lie to the House of Lords from any order or judgment of the Court of Appeal made or given on or after such day as Her Majesty may by Order in Council appoint for the purposes of this section. Appeals to the House of Lords.

(2) No appeal shall lie under this section except with the leave of the Court of Appeal or of the House of Lords.

(3) Sections four and five of the Appellate Jurisdiction Act, 1876 (which respectively provide for the bringing of appeals

under that Act by way of petition and regulate the composition of the House of Lords for the hearing and determination of such appeals) shall apply to an appeal under this section, and to the hearing and determination thereof, as they apply respectively to an appeal under that Act, and to the hearing and determination thereof.

(4) The House of Lords may by order provide for the hearing and determination by a Committee of that House of petitions for leave to appeal under this section from the Court of Appeal, and the said section five shall apply to the hearing of any such petition by a Committee of that House as, by virtue of the last foregoing subsection, it applies to the hearing and determination of an appeal under this section.

(5) Section eleven of the said Act of 1876 (which relates to the manner in which, and conditions on which, appeals lie to the House of Lords under that Act) shall have effect as if the references therein to that Act included references to this section.

(6) This section does not apply to an order or decision of the Court of Appeal from which an appeal lies under section one, thirteen or eighteen of the Administration of Justice Act, 1960.

(7) No appeal from an order or judgment of the Court of Appeal shall, unless it involves a decision of any question as to the validity of any law made by, or having the effect of an Act of, the Parliament of Northern Ireland, lie under this section in a case where, by any enactment in force immediately before the day appointed for the purposes of this section (other than section eleven of the Annual Revision of Rateable Property (Ireland) Amendment Act, 1860), it is expressly provided (whatever form of words is used) that that order or judgment is to be final.

(8) No limitation or restriction imposed by the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws shall be construed so as to prevent that Parliament from making a law providing that an order or judgment of the Court of Appeal made or given in proceedings instituted under or by virtue of an enactment of that Parliament shall, unless it involves such a decision as is mentioned in the last foregoing subsection, be final, or so as ever to have prevented that Parliament from making a law providing that an order or judgment of that Court made or given as aforesaid should be final.

Restrictions on
appeals to the
Court of
Appeal.

2.—(1) No appeal to the Court of Appeal shall lie—

- (a) except as provided by the Administration of Justice Act, 1960, from any judgment of the High Court in any criminal cause or matter;
- (b) from an order allowing an extension of time for appealing from a judgment or order;
- (c) from an order of a judge giving unconditional leave to defend an action;

- (d) from an order or judgment of the High Court or any judge thereof where it is provided by or by virtue of any enactment (including an enactment contained in this Act) that that order or judgment or the decision or determination upon which it is made or given is to be final ;
- (e) from a decree absolute for the dissolution or nullity of marriage by a party aggrieved thereby who, having had time and opportunity to appeal from the decree nisi on which the decree absolute was founded, has not appealed from that decree nisi ;
- (f) without the leave of the court or judge making the order, from an order of the High Court or any judge thereof made with the consent of the parties or as to costs only which by law are left to the discretion of the court ;
- (g) from any order made in chambers which has not been drawn up as an order of the court, without the leave of the judge by whom the order was made or of the Court of Appeal ;
- (h) without the leave of the judge or of the Court of Appeal, from any interlocutory order or interlocutory judgment made or given by a judge of the High Court, except in the following cases, namely,—
 - (i) where the liberty of the subject or the custody of infants is concerned ;
 - (ii) where an injunction or the appointment of a receiver is granted or refused ;
 - (iii) in the case of a decision determining the claim of any creditor or the liability of any director or other officer under the Companies Act (Northern Ireland), 1960, in respect of misfeasance or otherwise ;
 - (iv) in the case of a decree nisi in a matrimonial cause or a judgment or order in an Admiralty action determining liability ;
 - (v) in the case of an order on a special case stated under the Arbitration Act (Northern Ireland), 1937 ;
 - (vi) in such other cases as may be prescribed by rules made under subsection (1) of section seven of this Act, being cases appearing to the authority making the rules to be of the nature of final decisions ;
- (i) from the decision of the High Court on any question of law, whether on appeal or otherwise, under sections one hundred and seven to one hundred and thirty-six of the Representation of the People Act, 1949.

(2) An order refusing unconditional leave to defend an action shall not be deemed to be an interlocutory order within the meaning of the foregoing subsection.

(3) No limitation or restriction imposed by the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws shall be construed so as to prevent that Parliament from making a law providing that an order or judgment of the High Court made or given in proceedings instituted under or by virtue of an enactment of that Parliament shall be final or so as ever to have prevented that Parliament from making a law providing that an order or judgment of that Court made or given as aforesaid should be final.

(4) Nothing in this section or in any law made by the Parliament of Northern Ireland shall affect the operation of sub-paragraph (2) of paragraph 6 of the First Schedule to the Irish Free State (Consequential Provisions) Act, 1922 (Session 2) (which provides for an appeal to the Court of Appeal where a decision of a court in Northern Ireland involves the decision of any question as to the validity of any law made by, or having the effect of an Act of, the Parliament of Northern Ireland and an appeal would not otherwise lie).

(5) As from the day appointed for the coming into operation of subsection (1) of this section, section twenty-four (appeals from the High Court to the Court of Appeal) of the Supreme Court of Judicature Act (Ireland), 1877, shall have effect with the substitution, for the words "save as hereinafter mentioned", of the words "save as provided by section two of the Northern Ireland Act, 1962".

(6) Subsection (1) of this section shall come into operation on such day as Her Majesty may by Order in Council appoint, but no restriction thereby imposed shall apply to an order or judgment of the High Court made or given before that day.

Power of Her Majesty to transfer appellate jurisdiction of High Court to Court of Appeal.

3.—(1) Her Majesty may, by Order in Council, transfer to the Court of Appeal any jurisdiction which, under any enactment passed before the passing of this Act, is exercisable by the High Court or a judge thereof upon an appeal from the decision or determination of any inferior court or any tribunal, authority or person.

(2) An Order in Council under this section may make provision for any incidental or supplementary matters for which it appears to Her Majesty in Council to be necessary or expedient for the purposes of the Order to provide, and may amend or repeal any such enactment as aforesaid so far as may be necessary or expedient in consequence of provision made by the Order.

(3) In this section "appeal" includes an appeal by way of case stated.

4.—(1) Her Majesty may, by Order in Council,—

- (a) confer on the High Court power to remit to a county court, in whole or in part, any civil proceedings commenced in the High Court ;
- (b) confer on the High Court power to remove to that court from a county court, in whole or in part, any civil proceedings commenced in that county court ;
- (c) determine the court to which an appeal shall lie in Northern Ireland from a decree given in any proceedings in a county court.

Power of Her Majesty to amend law with respect to remittals to, and removals from, county court, and destination of appeals therefrom.

(2) Where, in pursuance of an Order in Council under this section, proceedings are remitted or removed to, or an appeal is brought to, any court, that court shall have jurisdiction to hear and determine those proceedings or (as the case may be) that appeal ; and, as regards proceedings so remitted to a county court,—

- (a) the court shall have the like jurisdiction as the High Court as to the giving of any relief claimed, including (but without prejudice to the generality of this provision) the amount of damages that may be awarded ; and
- (b) the parties to the proceedings shall have the like right of appeal as if the proceedings had been commenced in the county court.

(3) An Order in Council under this section may—

- (a) make provision as to the cases and circumstances in which, and the conditions on which, a right or power conferred by the Order may be exercised ;
- (b) provide that an order or judgment made or given upon the determination of an appeal by a court by virtue of any provision of the Order having effect by virtue of paragraph (c) of subsection (1) of this section shall, unless it involves a decision of any question as to the validity of any law made by, or having the effect of an Act of, the Parliament of Northern Ireland, be final ;
- (c) make provision for any incidental or supplementary matters for which it appears to Her Majesty in Council to be necessary or expedient for the purposes of the Order to provide ;
- (d) amend or repeal any enactment passed before the passing of this Act so far as may be necessary or expedient in consequence of provision made by the Order.

(4) In this section “ decree ” includes a dismiss. a decree on a counterclaim, and an order, decision or determination in any civil proceedings instituted under or by virtue of any enactment.

Assistance
for transaction
of business
in Supreme
Court.

5.—(1) Any such person as follows, namely,—

- (a) a person who has held the office of a judge of the High Court ;
- (b) a person who holds or has held the office of a judge of the Court of Appeal ;
- (c) a person falling within neither of the foregoing paragraphs who holds or has held the office of a Lord of Appeal in Ordinary and, on his appointment to that office, was qualified for appointment as a judge of the High Court or the Court of Appeal ;

may, at any time, at the request of the Lord Chief Justice—

- (i) sit and act as a judge of the High Court for, or perform any other official or ministerial acts on behalf of, a judge of that court absent through illness or any other cause ;
- (ii) sit and act as a judge of the High Court in the place of a judge of that court whose place has become vacant ; or
- (iii) sit and act as an additional judge of that court.

(2) Any such person as follows, namely,—

- (a) a person who has held the office of a judge of the Court of Appeal ;
- (b) a person who holds the office of a judge of the High Court or, not being a judge of the Court of Appeal, has held the office of a judge of the High Court ;
- (c) a person falling within neither of the foregoing paragraphs who holds or has held the office of a Lord of Appeal in Ordinary and, on his appointment to that office, was qualified for appointment as a judge of the High Court or the Court of Appeal ;

may, at any time, at the request of the Lord Chief Justice—

- (i) sit and act as a judge of the Court of Appeal for, or perform any other official or ministerial acts on behalf of, a judge of that court absent through illness or any other cause ;
- (ii) sit and act as a judge of the Court of Appeal in the place of a judge of that court whose place has become vacant ; or
- (iii) sit and act as an additional judge of that court.

(3) Every person while sitting and acting under this section shall have all the jurisdiction, powers and privileges of a judge of the court in which he is so sitting and acting, but shall not otherwise be deemed to be a judge of that court or to have ceased, if he is a judge of the High Court, to be a judge of that court or of the division to which he belongs, if he is a judge of the Court of Appeal, to be a judge of that court or, in either case, to be a member of any other tribunal of which he is a member.

(4) A person who has sat and acted under this section as a judge, or additional judge, of the High Court shall, although the period has expired during which he was requested so to sit and act, attend the sittings of that court for the purpose of giving judgment in, or otherwise acting in relation to, any case heard by him while he so sat and acted, and a person who has sat and acted under this section as a judge, or additional judge, of the Court of Appeal shall, although the period has expired during which he was requested so to sit and act, attend the sittings of that court for the purpose of giving judgment in, or otherwise acting in relation to, any case heard by that court while he so sat and acted.

(5) For any period during which a person who does not hold office as a judge of the High Court or the Court of Appeal or as a Lord of Appeal in Ordinary sits and acts under this section, there may be paid to him, out of moneys provided by Parliament, such remuneration and allowances as the Treasury may, after consultation with the Lord Chief Justice, determine.

6.—(1) Any such person as follows, namely,—

(a) a person who, not being a judge of the Court of Appeal or the High Court, has held the office of a judge of either of those courts ;

(b) a person who, neither being a judge of the Court of Appeal or the High Court nor having held the office of a judge of either of those courts, holds or has held the office of a Lord of Appeal in Ordinary and, on his appointment to that office, was qualified for appointment as a judge of the High Court or the Court of Appeal ;

Assistance
for transaction
of business
in Court of
Criminal
Appeal.

may at any time, at the request of the Lord Chief Justice, sit and act as a judge of the Court of Criminal Appeal.

(2) Every person while sitting and acting under this section shall have all the jurisdiction, powers and privileges of a judge of the Court of Criminal Appeal, but shall not otherwise be deemed to be a judge of that court or to have ceased to be a member of any other tribunal of which he is a member.

(3) A person who has sat and acted under this section shall, although the period has expired during which he was requested so to sit and act, attend the sittings of the Court of Criminal Appeal for the purpose of giving judgment in, or otherwise acting in relation to, any case heard by that Court while he so sat and acted.

(4) For any period during which a person (other than one holding office as a Lord of Appeal in Ordinary) sits and acts under this section there may be paid to him, out of moneys

provided by Parliament, such remuneration and allowances as the Treasury may, after consultation with the Lord Chief Justice, determine.

Supreme
Court rules.

7.—(1) The committee mentioned in the next following section may make rules—

- (a) regulating and prescribing the procedure (including the method of pleading) and the practice to be followed in the Court of Appeal and the High Court respectively in all proceedings whatsoever in or with respect to which those courts respectively have for the time being jurisdiction, and in the offices of the Supreme Court, including (but without prejudice to the generality of the foregoing words) the manner in which, the time within which and the conditions on which any proceedings which under any enactment (including an enactment contained in this Act) may, or must, be taken in the Supreme Court or any court or division thereof or brought before any judge thereof are to be so taken or brought ;
- (b) regulating and prescribing the procedure and practice to be followed in connection with the transfer of civil proceedings from a county court to the High Court or from the High Court to a county court ;
- (c) regulating and prescribing the procedure and practice of the High Court with respect to non-contentious or common form probate business except in regard to matters with respect to which directions may be given under section twenty of the Administration of Estates Act (Northern Ireland), 1955 ;
- (d) regulating the sittings of the Court of Appeal and the High Court and of the judges of the High Court whether sitting in court or in chambers and the vacations to be observed by the Court of Appeal and the High Court and in the offices of the Supreme Court ;
- (e) providing that a judge of the High Court may exercise in court or in chambers such part of the jurisdiction vested in the High Court as may be specified by the rules and prescribing the cases in which a judge exercising as aforesaid jurisdiction so vested is to be deemed to constitute the High Court or a specified court of the High Court ;
- (f) prescribing what part of the business which may be transacted and of the jurisdiction which may be exercised by judges of the High Court may be transacted or exercised by officers of the Supreme Court, and regulating the organisation of the offices of the Supreme Court ;

- (g) regulating any matters relating to the costs of proceedings in the Court of Appeal or the High Court ;
- (h) prescribing the extent to which, and the circumstances in which, documents filed in the Court of Appeal or the High Court may be inspected and copied ;
- (i) regulating the means by which particular facts may be proved in or in connection with, or at any stage of, any proceedings in the Court of Appeal or the High Court, and the mode in which evidence of particular facts may be given in or in connection with, or at any stage of, any such proceedings ;
- (j) regulating or making provision with respect to any other matters which were regulated or with respect to which provision was made by rules of court relating to the Supreme Court immediately before the passing of this Act.

(2) Rules made under subsection (1) of this section may make provision for any incidental or supplementary matters for which the said committee think it necessary or expedient for the purposes of the rules to provide, and may amend or repeal, so far as it applies to Northern Ireland, any enactment passed before the passing of this Act so far as may be necessary or expedient in consequence of provision made by the rules.

(3) The power to make rules under subsection (1) of this section shall include power to make rules as to proceedings by or against the Crown.

(4) No rule which may involve an increase of expenditure out of public funds of the United Kingdom shall be made under subsection (1) of this section except with the concurrence of the Treasury and no rule which may involve an increase of expenditure out of public funds of Northern Ireland shall be so made except with the concurrence of the Ministry of Finance for Northern Ireland ; but the validity of a rule so made shall not, in any proceedings in any court, be called in question either by the court or by any party to the proceedings on the ground only that it was a rule to which the concurrence of, as the case may be, the Treasury or the said Ministry was necessary and that the Treasury or, as the case may be, the said Ministry did not concur or are not expressed to have concurred in the making of the rule.

(5) In subsection (1) of this section "proceedings" includes actions, causes, appeals, applications, references and other matters, and any reference to proceedings' being taken or brought shall be construed accordingly.

(6) Rules made under subsection (1) of this section shall be statutory rules within the meaning of the Statutory Rules Act (Northern Ireland), 1958, and the person for the time being secretary to the committee mentioned in the next following section shall, in relation to rules so made, be the responsible officer within the meaning of sections two and four of that Act.

(7) Rules made under subsection (1) of this section shall be laid before Parliament so soon as may be after they are made and if either House, within the period of forty days beginning with the day on which the rules are laid before it resolves that an Address be presented to Her Majesty praying that the rules be annulled, no further proceedings shall be taken thereunder after the date of the resolution, and Her Majesty may by Order in Council revoke the rules, so, however, that any such resolution and revocation shall be without prejudice to anything previously done under the rules or to the making of new rules.

In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(8) The foregoing provisions of this section shall have effect in place of section sixty-one of the Supreme Court of Judicature Act (Ireland), 1877, and accordingly that section shall cease to have effect.

(9) The enactments specified in the first column of Part I of the First Schedule to this Act shall have effect subject to the amendments respectively specified in relation thereto in the second column of that Part of that Schedule (being amendments consequential on the replacement of the said section sixty-one by subsections (1) to (7) of this section or amendments whose effect is to substitute powers to make rules under this section for rule-making powers framed otherwise than by reference to the said section sixty-one), and the Order in Council specified in the first column of Part II of that Schedule shall have effect subject to the amendment specified in relation thereto in the second column of that Part of that Schedule (being an amendment consequential as aforesaid).

(10) Any rules relating to the Supreme Court made under the said section sixty-one or under or by virtue of such of the provisions of the enactments specified in Part I of the said First Schedule as are the subject of amendments made thereby and any rules made under the Criminal Appeal (Northern Ireland) Act, 1930, shall, in so far as they are in force immediately before the passing of this Act and could be made under subsection (1) of this section, have effect as if they had been so made; and the provisions of any other instruments relating to the Supreme Court made under such of the said provisions as

are the subject of amendments made by the said Part I and the provisions of any Order in Council made under section thirty (vacations) of the Supreme Court of Judicature Act (Ireland), 1877, shall, in so far as they are so in force and could, were they rules, be made under the said subsection (1), have effect as if they were rules that had been so made; but subsection (7) of this section shall not apply to any such rules or other instruments or to any such Order in Council.

(11) For the purposes of subsection (1) of section six of the Government of Ireland Act, 1920 (which precludes the Parliament of Northern Ireland from repealing or altering a provision of an Act passed by the Parliament of the United Kingdom after the day appointed for the purposes of that section and extending to Northern Ireland, although the provision deals with a matter with respect to which the Parliament of Northern Ireland has power to make laws), the provisions of the said First Schedule shall be deemed to be those of an Act passed before that day.

8.—(1) The committee referred to in the last foregoing section shall consist of the judges of the Supreme Court, the Attorney General, one other practising member of the Bar of Northern Ireland nominated by the Council thereof, the President of the Incorporated Law Society of Northern Ireland or a member of the Council thereof nominated by him and a practising solicitor nominated by that Council, and shall be known as the Northern Ireland Supreme Court Rules Committee.

The Supreme
Court rules
committee.

(2) The Lord Chief Justice (or, during a vacancy in the office of Lord Chief Justice or any period during which the Lord Chief Justice is for any reason incapacitated for acting, the senior Lord Justice of Appeal in Northern Ireland) shall be chairman of the committee.

(3) The powers of the committee may be exercised by the chairman thereof and not less than four other members thereof.

(4) The Lord Chief Justice may with the approval of the Treasury appoint, upon such terms and conditions (including conditions as to remuneration) as the Treasury may approve, a person to act as secretary to the committee; and the Treasury, after consultation with the Lord Chief Justice, may direct, in the case of a person appointed under this subsection who is not an officer of the Supreme Court, that section seventy-six of the Supreme Court of Judicature Act (Ireland), 1877 (which relates to salaries and pensions of officers of the Supreme Court) except in so far as it relates to salary shall apply to him as it applies to officers of that Court.

(5) There shall be defrayed out of moneys provided by Parliament—

(a) any expenses incurred by the committee;

- (b) any remuneration payable by virtue of the last foregoing subsection to the secretary to the committee ; and
- (c) any increase attributable to that subsection in the sums payable by way of pensions and other benefits under the Superannuation Acts, 1834 to 1960.

Publication of certain rules and orders under Supreme Court of Judicature Act (Ireland), 1877, and parliamentary control of powers to make them.

9. Subsections (6) and (7) of section seven of this Act shall apply to the following rules and orders, namely,—

- (a) rules and orders made after the passing of this Act under sections seven and thirty-nine of the Supreme Court of Judicature Act (Ireland), 1877 (which relate to the practice in certain proceedings before the Chancery judge);
- (b) orders so made by the Governor of Northern Ireland in Council under section sixty-two of that Act (which relates to circuits and assizes);
- (c) orders so made under section eighty-four of that Act (which relates to court fees);

as they apply to rules made under subsection (1) of the said section seven.

Amendment of law with respect to writs of mandamus, prohibition and certiorari and informations in the nature of quo warranto.

10.—(1) The prerogative writs of mandamus, prohibition and certiorari shall no longer be issued by the High Court ; but in a case where the High Court would, but for the foregoing provisions of this subsection, have had jurisdiction to order the issue of a writ of mandamus requiring an act to be done, or a writ of prohibition prohibiting any proceedings or matter, or a writ of certiorari removing any proceedings or matter into the High Court or any division thereof for any purpose, the High Court may make an order (to be called an order of mandamus) requiring the act to be done, an order (to be called an order of prohibition) prohibiting the proceedings or matter, or an order (to be called an order of certiorari) removing the proceedings or matter, as the case may be.

(2) No return shall be made to any such order and no pleadings in prohibition shall be allowed, but the order shall be final, subject to any right of appeal therefrom.

(3) In any enactment of the Parliament of the United Kingdom (as that enactment applies to Northern Ireland) and in any enactment of the Parliament of Northern Ireland references to a writ of mandamus, prohibition or certiorari shall be construed as references to the corresponding order, and references to the issue or award of any such writ shall be construed as references to the making of the corresponding order.

(4) Informations in the nature of quo warranto are hereby abolished in Northern Ireland ; but in a case where in Northern Ireland a person acts in an office in which he was not entitled to act and an information in the nature of quo warranto would, but for the foregoing provisions of this subsection, have lain against him, the High Court may grant an injunction restraining him from so acting and may (if the case so requires) declare

the office to be vacant, so, however, that no proceedings for an injunction under this subsection shall be taken by a person who would not immediately before the coming into operation of this subsection have been entitled to apply for an information in the nature of *quo warranto*.

(5) Rules may be made under subsection (1) of section seven of this Act—

- (a) requiring, except in such cases as may be specified in the rules, that leave shall be obtained before any application is made or proceedings are commenced under this section ;
- (b) requiring that, where leave is so obtained, no relief shall be granted and no ground relied upon, except with the leave of a judge of the High Court, other than the relief and grounds specified when the application for leave was made.

(6) Subsections (1) to (4) of this section shall come into operation on such day as Her Majesty may by Order in Council appoint.

11.—(1) In Northern Ireland, notwithstanding anything in any enactment, for the purpose of any action tried by a jury or inquiry by a jury in any civil proceedings, it shall not be necessary for the jury to consist of more than seven persons.

Reduction of number of jurors in civil proceedings.

(2) In relation to a case in which, by virtue of the foregoing subsection, the jury need not consist of more than seven persons, sections forty-one and forty-two of the *Juries Act (Ireland), 1871* (which relate to the selection of a jury), shall have effect as if, for the word “twelve”, wherever occurring, there were substituted the word “seven”.

12.—(1) No law made by the Parliament of Northern Ireland about—

- (a) bankruptcy, insolvency, the winding up of bodies (whether corporate or unincorporated) or the making of arrangements or compositions with creditors ;
- (b) cases stated ; or
- (c) the registration, execution or enforcement of judgments and orders of the Supreme Court, the powers or duties of under-sheriffs or bailiffs in relation to such registration, execution or enforcement, or the establishment of a uniform system for the enforcement of all judgments, orders and decrees of all courts in Northern Ireland ;

Reservation of matters relating to Supreme Court not to preclude legislation by Parliament of Northern Ireland about certain matters.

shall be void on the ground only that, by reason of its making provision in respect of a matter relating to the Supreme Court, it contravenes the limitation imposed by paragraph (14) of subsection (1) of section four of the *Government of Ireland Act, 1920*, precluding that Parliament from making laws in respect of any matter declared by that Act to be a reserved matter.

(2) The said limitation shall not be construed so as to prevent the Parliament of Northern Ireland from conferring or imposing, for or in connection with purposes for which a law is made by that Parliament,—

- (a) any jurisdiction (whether original or appellate) or power on the Court of Appeal or the High Court (including a Court of Assize) or on a judge of the High Court (including a judge of Assize) or other judge of the Supreme Court ; or
- (b) with the consent of the Lord Chief Justice, any jurisdiction, power or duty on an officer of the Supreme Court ;

and, for the purposes of any proceedings in which the validity of an Act of the Parliament of Northern Ireland is in question, a recital in that Act to the effect that the consent required by paragraph (b) of this subsection has been given to the conferring or imposing by that Act of jurisdiction, powers or duties on officers of the Supreme Court shall be conclusive evidence that that consent has been given.

(3) The said limitation shall not be construed so as to prevent the Parliament of Northern Ireland from—

- (a) making provision for matters incidental to or consequential on the conferring or imposing, by virtue of the last foregoing subsection, of jurisdiction, powers or duties, including (but without prejudice to the generality of the foregoing words) provision for specifying the cases and circumstances in which, and the conditions on which, any jurisdiction or power conferred, or any duty imposed, by virtue of that subsection may be exercised or is to be discharged ; or
- (b) amending or repealing, so far as it applies to Northern Ireland, any enactment passed before the passing of this Act, so far as may be necessary or expedient in consequence of provision made by a law made by it by virtue of that subsection ;

or from including in a law made by it provision for extending the purposes for which rules may be made under subsection (1) of section seven of this Act, so far as the extension is necessary or expedient for the purposes of, or in connection with, other provision made by that law.

(4) Unless and until the Parliament of Northern Ireland otherwise provides, section one of the Legislative Procedure Act (Northern Ireland), 1933 (which relates to the procedure for including in a Bill in that Parliament any such recital as by virtue of section six or nine of the Northern Ireland (Miscellaneous Provisions) Act, 1932, is conclusive evidence of the fact recited), shall have effect as if the references to the said

section nine and the consent required thereby included respectively references to subsection (2) of this section and the consent required by paragraph (b) thereof.

Enlargement of legislative Power of Parliament of Northern Ireland with respect to Matters other than those relating to Supreme Court

13.—(1) Such of the restrictions imposed by subsection (1) of section five of the Government of Ireland Act, 1920, and Article 16 of the Articles of Agreement for a treaty between Great Britain and Ireland set out in the Schedule to the Irish Free State (Agreement) Act, 1922, on the power of the Parliament of Northern Ireland to make laws as preclude it from making a law so as directly or indirectly to divert the property of a religious denomination or educational institution shall cease to extend—

Relaxation, for certain purposes, of restrictions on diversion of property of religious or educational bodies.

(a) so as to render void, in relation to the property of a religious denomination or educational institution (other than buildings occupied by it and used by it exclusively for religious or educational purposes), a law made by that Parliament in so far as it provides or enables provision to be made for the compulsory acquisition (on payment of compensation) of land for the purposes of housing or slum-clearance, or the development or re-development of any area ;

(b) so as to render void, in relation to any property of such a denomination or institution, a law made by that Parliament in so far as it provides or enables provision to be made for the control of the use of land.

(2) In this section “land” has the same meaning as in section forty-five of the Interpretation Act (Northern Ireland), 1954, and the reference to buildings includes a reference to the curtilages thereof.

14. The restriction imposed by subsection (1) of section five of the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws that precludes it from making a law so as directly or indirectly to take any property without compensation is hereby abolished.

Abolition of prohibition of making of laws taking property without compensation.

15. No law made (whether before or after the passing of this Act) by the Parliament of Northern Ireland shall, in so far as it makes provision for providing security of tenure for, or enlarging the estates or interests in land of, persons or any class of persons or for repealing, amending or limiting the operation of any law for the time being in force in Northern Ireland in so far as that law makes provision for either or both of those purposes, be void on the ground only that it contravenes any of the restrictions mentioned in the two last foregoing sections.

Restrictions on diversion of property not to preclude, or ever to have precluded, legislation about security of tenure, &c.

Power with respect to winding up, bankruptcy, &c.

16.—(1) The limitation imposed by paragraph (1) of subsection (1) of section four of the Government of Ireland Act, 1920, precluding the Parliament of Northern Ireland from making laws in respect of the Crown or the property of the Crown shall not be construed so as to prevent that Parliament from enacting provisions for purposes similar to those of—

- (a) section three hundred and twenty-four of the Companies Act, 1948 (liability for rentcharge on company's land after disclaimer by liquidator);
- (b) section three hundred and fifty-four of that Act (property of dissolved company to be bona vacantia);
- (c) section three hundred and fifty-five of that Act (power of Crown to disclaim title to property vesting under the preceding section of the Act);
- (d) section three hundred and fifty-six of that Act (application of section three hundred and twenty-four of the Act to land vesting, subject to a rentcharge, in the Crown or any other person on the dissolution of any body corporate);

or from applying, in relation to land disclaimed under the provisions of the law in force in Northern Ireland relating to bankrupts, arranging debtors or persons dying insolvent, provisions corresponding to the said section three hundred and twenty-four.

(2) No limitation or restriction imposed by the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws shall be construed so as to prevent that Parliament from enacting a provision specifying what debts are, in the winding up of any body (whether corporate or unincorporated) or the distribution of the property of a bankrupt, arranging debtor or person dying insolvent, to be paid in priority to other debts, or from making any provision with respect to debts to be paid in priority to other debts in those circumstances; and section six of that Act shall not preclude that Parliament from effecting, as respects Northern Ireland, any repeal or alteration of a provision of an Act passed before the passing of this Act by the Parliament of the United Kingdom as to debts to be so paid in those circumstances, so far as the repeal or alteration is consequential on the enacting or making by the Parliament of Northern Ireland of any such provision as aforesaid.

Power to legislate to prevent suffering by horses, &c., on exportation thereof.

17. The limitations imposed by paragraph (7) of subsection (1) of section four of the Government of Ireland Act, 1920, precluding the Parliament of Northern Ireland from making laws in respect of trade with any place out of the part of Ireland on exportation within its jurisdiction or in respect of merchant shipping, and

the limitation imposed by paragraph (10) of that subsection precluding that Parliament from making laws in respect of aerial navigation, shall not be construed so as to prevent that Parliament from making a law with the object of preventing horses, asses or mules from suffering unnecessarily when exported from Northern Ireland (whether by land, sea or air).

18. Subsection (1) of section two of the Northern Ireland (Miscellaneous Provisions) Act, 1928 (which provides that the restrictions imposed by section four of the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws shall not be construed as preventing that Parliament making laws for the purpose of ensuring that live stock and agricultural produce, or any class thereof, shall not be sent to Great Britain, the Isle of Man or the part of Ireland which now forms the Republic of Ireland and is therein referred to as the Irish Free State, except under such regulations as to standards of quality, inspection or compulsory insurance as may be made by or under the authority of that Parliament) shall have effect with the substitution, for the words " to Great Britain, the Isle of Man or the Irish Free State ", of the words " out of Northern Ireland ". Amendment of s. 2 (1) of Northern Ireland (Miscellaneous Provisions) Act, 1928.

19.—(1) None of the limitations or restrictions imposed by the Government of Ireland Act, 1920, on the power of the Parliament of Northern Ireland to make laws shall be construed so as to prevent that Parliament from making laws providing for the imposition on, and recovery from, persons carrying on business in Northern Ireland in any industry (including agriculture), or persons carrying on there any business consisting wholly or partly in dealing in any materials or produce of any industry (including agriculture), of charges (including charges calculated by reference to an amount or quantity manufactured or produced) for the purpose of meeting costs incurred in connection with the provision of any service or facility intended to benefit those persons or to increase, encourage or make more profitable that business or to secure improvements in the produce thereof. Power to provide for imposition and recovery of charges for services.

(2) The proceeds of charges imposed by virtue of this section shall be deemed for the purposes of section twenty-two (reserved taxes) of the said Act of 1920 not to be the proceeds of any of the duties or taxes the imposing, charging, levying and collection of which are declared by subsection (1) of that section to be reserved matters.

20. The limitation imposed by paragraph (1) of subsection (1) of section four of the Government of Ireland Act, 1920, precluding the Parliament of Northern Ireland from making laws in respect of the Crown shall not be construed so as to prevent that Parliament from enacting a provision making binding upon the Crown any enactment of that Parliament about arbitration. Power to render binding upon the Crown enactments about arbitration.

Power to
repeal or
alter Costs of
Leases Act,
1958.

21. For the purposes of subsection (1) of section six of the Government of Ireland Act, 1920, the Costs of Leases Act, 1958, shall be deemed to have been passed before the day appointed for the purposes of that section.

Miscellaneous Provisions

Land purchase
matters.

22.—(1) The continuance of the reservation for the purposes of the Government of Ireland Act, 1920, by paragraph (b) of the Second Schedule to the Northern Ireland Land Purchase (Winding Up) Act, 1935, of the matter of the vesting of land under the Acts relating to land purchase shall not be construed so as to prevent the Parliament of Northern Ireland from making a law for validating or perfecting, or providing for validating or perfecting, orders or other instruments for the vesting of land in Northern Ireland made by the Irish Land Commission or the Land Purchase Commission, Northern Ireland, which are invalid or imperfect or whose validity or perfection is doubtful.

(2) The functions which, before the passing of the said Act of 1935, were exercisable by the Land Purchase Commission, Northern Ireland, under the provisions of schemes framed for purposes specified in section four of the Irish Land Act, 1903, in connection with the sale of land in Northern Ireland under the Land Purchase Acts (not being schemes framed under section twenty of the said Act of 1903) and, by virtue of subsection (1) of section six of the said Act of 1935, became exercisable by the Treasury shall be transferred to and exercised by the Ministry of Finance for Northern Ireland.

Amendment
of Merchant
Shipping Act,
1894, as to
compensation
for plundering
wrecked, &c.,
vessel or its
cargo.

23.—(1) Section five hundred and fifteen of the Merchant Shipping Act, 1894 (compensation for plundering, damaging or destroying vessel wrecked, stranded or in distress or its cargo or apparel) shall be amended by substituting, for the words from “In Ireland” to the end, the words “In Northern Ireland, in pursuance of an application in that behalf to the county court”, but no compensation shall be made in Northern Ireland under that section unless the aggregate amount of the plunder, damage or destruction exceeds twenty pounds.

(2) Subsection (1) of section four of the Criminal Injuries Act (Northern Ireland), 1956 (which empowers a county court, in determining an application for compensation under that Act, to reduce the amount of compensation which it would otherwise award by such sum as it thinks just and equitable having regard

to the general conduct in the circumstances of the person suffering the damage, including, in particular, his conduct as respects any precautions which might reasonably have been taken by him to avoid the damage) shall have effect in relation to an application made in Northern Ireland by virtue of this section as it has effect in relation to an application under that Act but with the substitution, for references to the damage, of references to the plunder, damage or destruction to which the application relates and, for the reference to compensation under that Act, of a reference to compensation under the said section five hundred and fifteen.

(3) The said section five hundred and fifteen shall, in its application to Northern Ireland, be subject to the like restrictions with respect to the making thereunder of compensation for plunder, damage or destruction as those to which the said Act of 1956 is, by virtue of subsections (2), (3) and (5) of section four thereof, subject with respect to the payment under that Act of compensation for damage, and those subsections shall apply accordingly with requisite modifications.

(4) Sections five to nine of the said Act of 1956 shall have effect in relation to an application made in Northern Ireland by virtue of this section and to matters consequential on the making of such an application as they have effect in relation to an application under that Act and to matters consequential on the making of such an application subject, however, to the following modifications:—

(a) for references to the damage to which the application relates there shall be substituted references to the plunder, damage or destruction to which it relates; and

(b) subsection (1) of section five shall have effect as if, at the end thereof, there were added the words “or, in a case where the plunder, damage or destruction or the greater part thereof occurred outside a county, against the council of the county nearest to the place where it occurred”.

24.—(1) For the purpose of adding to the number of persons whose indorsement, in due form, of a warrant issued in Northern Ireland enables it under section twenty-seven of the Petty Sessions (Ireland) Act, 1851, to be executed in England, Wales, Scotland, the Isle of Man or the Channel Islands and whose indorsement, in due form, of a warrant issued in any of the last-mentioned countries enables it, under section twenty-nine of that Act, to be

Backing warrants issued in Northern Ireland for execution in England, &c., and vice versa.

executed in Northern Ireland, that Act shall be amended as follows:—

- (a) in section twenty-seven, in paragraph 3, for the words “in like manner as before” there shall be substituted the words “or for a county inspector”, and for the words “either of the inspector or deputy inspector general” there shall be substituted the words “of the inspector general, deputy inspector general or county inspector”;
- (b) in section twenty-nine, after the words “deputy inspectors general”, there shall be inserted the words “or for a county inspector”;
- (c) in section forty-four (interpretation), after the word “prosecutor”, there shall be inserted the words “the words ‘county inspector’ shall include a commissioner of police for a county borough in Northern Ireland and an officer of the Royal Ulster Constabulary having the rank of county inspector”.

(2) This section shall extend to the Isle of Man and the Channel Islands.

Cesser of
payment of
certain fines
and
forfeitures
imposed in
Northern
Ireland into
United
Kingdom
Exchequer.

25.—(1) The following provisions shall have effect for the purpose of securing that the proceeds of fines imposed and forfeitures incurred upon the conviction of a person in Northern Ireland under the enactments relating to merchant shipping shall no longer be paid into the Exchequer of the United Kingdom:—

- (a) paragraph (a) of subsection (2) of section six hundred and ninety-nine of the Merchant Shipping Act, 1894 (payment into the Exchequer of the United Kingdom of fines recovered therein under that Act) shall have effect as if, for the words “the United Kingdom”, there were substituted the words “Great Britain”;
- (b) where a person is convicted in Northern Ireland of an offence under paragraph (a) of section two hundred and twenty-one (desertion from British ship) of the said Act of 1894 or under paragraph (a) of subsection (1) of section three hundred and seventy-six (desertion from fishing boat) of that Act, the balance of the proceeds of any forfeiture incurred under the paragraph in question which remains after making such reimbursement as is mentioned in, as the case may be, subsection (1) of section two hundred and thirty-two or section three hundred and seventy-eight of that Act shall, instead of being paid into the Exchequer of the United Kingdom, be applied as if it were a fine imposed on summary conviction in Northern Ireland

for an offence against that Act, and so much of the last-mentioned section as relates to the powers of the court to make orders with respect to the application of effects and wages forfeited and of the proceeds of effects forfeited which do not consist of money shall be construed accordingly ;

(c) subsection (4) of section thirty-three of the Merchant Shipping (Safety Convention) Act, 1949, shall cease to have effect.

(2) For the purpose of securing that fines and other penalties imposed in Northern Ireland under the enactments specified in the first column of the Second Schedule to this Act shall no longer be paid into the Exchequer of the United Kingdom, there shall be made the amendments respectively specified in relation thereto in the second column of that Schedule.

26.—(1) The Eighth Schedule (compensation of existing Irish officers) to the Government of Ireland Act, 1920, shall, as respects any period after the passing of this Act, have effect, and, as respects the period beginning with the first day of October, nineteen hundred and forty-nine, and ending with the passing of this Act, be deemed to have had effect, as if,—

Increase of compensation payable to certain Irish officers.

(a) in Head B of Part I of the Rules therein set out, there had been substituted the words “ three quarters ” for the words “ two thirds ” ; and

(b) in Head C of that Part, there had, in the application of that Head to an officer falling under the said Head B, been substituted the words “ nine sixteenths ” for the words “ one half ” and the words “ twenty-seven sixteenths of ” for the words “ one and a half times ”.

(2) In so far as it relates to any period before the ninth day of July, nineteen hundred and fifty-nine (being the date of the passing of the Pensions (Increase) Act, 1959), this section shall be deemed for the purposes of the Pensions (Increase) Act, 1956, and the said Act of 1959 to have been in force immediately before the passing of the first of them.

(3) Any increase attributable to this section in the sums which, under subsection (4) of section fifty-five of the said Act of 1920 or section eight of the Pensions Commutation Act, 1871, are payable out of moneys provided by Parliament shall be defrayed out of moneys so provided, and any increase attributable to this section in any sums which, under section eleven of the said Act of 1871, are payable out of the Consolidated Fund of the United Kingdom shall be defrayed out of that Fund.

Interpretation,
in relation to
Northern
Ireland, of
certain
expressions
when used in
Acts of the
Parliament of
the United
Kingdom.

Cesser of
obsolete,
unnecessary
or spent
enactments.

27. In the application to Northern Ireland of any Act of the Parliament of the United Kingdom (whether passed before or after, or at the same time as, the passing of this Act) the expressions "court of summary jurisdiction", "summary conviction" and "Summary Jurisdiction Acts" shall have the same meanings respectively as in enactments of the Parliament of Northern Ireland.

28.—(1) Whereas section fourteen (payment where partially damaged land is compulsorily acquired) of the War Damage Act, 1943, has, by virtue of the Northern Ireland (Compensation for Compulsory Purchase) Act, 1957, and the Acquisition of War-Damaged Land (Compensation) Act (Northern Ireland), 1957, been annulled so far as it applies to Northern Ireland, except in relation to acquisitions there to which its application is no longer required:

Now, therefore, the said section fourteen (so far as it applies to Northern Ireland) and the said Acts of 1957 shall cease to have effect.

(2) Whereas the enactments mentioned in the first and second columns of the Third Schedule to this Act have, to the extent respectively specified in relation thereto in the third column of that Schedule, become obsolete, unnecessary or spent, whether by lapse of time, or by reason of its having become lawful for rules of court to regulate or provide for the matters thereby dealt with, or otherwise:

Now, therefore, the said enactments shall cease to have effect to the extent aforesaid.

Supplemental

Interpretation.

29.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say,—

"the Attorney General" means the Attorney General for Northern Ireland;

"county court" means a county court held for a division under the County Courts Act (Northern Ireland), 1959;

"the Court of Appeal" means Her Majesty's Court of Appeal in Northern Ireland;

"the Court of Criminal Appeal" means the Court of Criminal Appeal in Northern Ireland;

"enactment" includes (save where the context otherwise requires) an enactment of the Parliament of Northern Ireland;

“ the High Court ” means Her Majesty’s High Court of Justice in Northern Ireland ;

“ judgment ” includes decision and decree ;

“ the Lord Chief Justice ” means the Lord Chief Justice of Northern Ireland ;

“ the Supreme Court ” means the Supreme Court of Judicature of Northern Ireland.

(2) Any reference in the foregoing provisions of this Act, other than the last foregoing section, to a specific enactment of the Parliament of Northern Ireland shall be construed as including a reference to any enactment of that Parliament passed after this Act and re-enacting the first-mentioned enactment with or without modification.

30.—(1) This Act may be cited as the Northern Ireland Act, 1962. Short title
and repeals.

(2) The enactments and Orders in Council specified in the first and second columns of Parts I, II, III and IV of the Fourth Schedule to this Act shall be repealed as follows:—

(a) in the case of those specified in the first and second columns of Part I, to the extent respectively specified in relation thereto in the third column of that Part, as from the day appointed for the purposes of section one of this Act ;

(b) in the case of those specified in the first and second columns of Part II, to the extent respectively specified in relation thereto in the third column of that Part, as from the day appointed for the coming into operation of subsection (1) of section two of this Act ;

(c) in the case of those specified in the first and second columns of Part III, to the extent respectively specified in relation thereto in the third column of that Part, as from the day appointed for the coming into operation of subsections (1) to (4) of section ten of this Act ;

(d) in the case of those specified in the first and second columns of Part IV, to the extent respectively specified in relation thereto in the third column of that Part, as from the passing of this Act.

SCHEDULES

Section 7.

FIRST SCHEDULE

AMENDMENTS OF ENACTMENTS AND ORDER IN COUNCIL CONSEQUENTIAL
ON SECTION 7

PART I

ENACTMENTS AMENDED

Enactments of the Parliament of the United Kingdom

<i>Enactment</i>	<i>Amendment</i>
The Evidence (Ireland) Act, 1815 (55 Geo. 3. c. 157).	For section seven there shall be substituted the following section:— “ 7. Rules for the purposes of this Act may be made under section seven of the Northern Ireland Act, 1962 ”
The Irish Bankrupt and Insolvent Act, 1857 (20 & 21 Vict. c. 60).	For any reference to a general order by the Court there shall be substituted a reference to rules made under section seven of this Act.
The Probates and Letters of Administration Act (Ireland), 1857 (20 & 21 Vict. c. 79).	In section thirty-four, for the words “ the rules or orders to be from time to time made under this Act ”, there shall be substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”.
	In section thirty-six, for the words “ the regulations to be established by such rules and orders as aforesaid ” there shall be substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”.
	In section fifty-five, for the words “ any rules or orders to be made in that behalf ” there shall be substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”, and for the words “ any rules or orders under this Act ” there shall be substituted the words “ any such rules ”.
	In section fifty-seven, for the words “ (subject to any rules or orders under this Act) ” there shall be substituted the words “ (subject to any rules made under section seven of the Northern Ireland Act, 1962) ”.

*Enactment**Amendment*

- The Probates and Letters of Administration Act (Ireland), 1857 (20 & 21 Vict. c. 79)—*cont.*
- In section seventy-one, for the words “ the rules and orders under this Act ”, there shall be substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”.
- In section seventy-three, for the words “ as the Court of Probate shall from time to time by rule or order direct ” there shall be substituted the words “ as may be prescribed by rules made under section seven of the Northern Ireland Act, 1962 ”.
- The Evidence by Commission Act, 1859 (22 Vict. c. 20).
- In section six, the words “ and for the Lord Chancellor of Ireland with the assistance of two of the Judges of the Courts of Common Law at Dublin, so far as relates to Ireland ” shall be omitted and at the end thereof there shall be added the words “ and so far as relates to Northern Ireland rules may be made under section seven of the Northern Ireland Act, 1962, for the like purposes ”.
- The Law of Property Amendment Act, 1860 (23 & 24 Vict. c. 38).
- For section ten there shall be substituted the following section:—
“ 10. Rules may be made under section seven of the Northern Ireland Act, 1962, providing for the investment of cash under the control of the High Court in such stocks, funds or securities as may be prescribed by the rules ”.
- The Debtors Act (Ireland), 1872 (35 & 36 Vict. c. 57).
- In section ten, for the words from “ As respects ” (where first occurring) to “ 1867 ” there shall be substituted the words “ As respects the High Court, prescribed by rules made under section seven of the Northern Ireland Act, 1962 ”, and for the words from “ And general rules ” to “ carrying into effect this part of this Act ” there shall be substituted the words “ And rules may be made under the said section seven for the purpose of carrying into effect this part of this Act ”.
- The Bankruptcy (Ireland) Amendment Act, 1872 (35 & 36 Vict. c. 58).
- In section fifteen, for the words “ as the Court shall by general order from time to time direct ” there shall be substituted the words “ as may be specified in rules made by virtue of this Act ”.

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
<p>The Bankruptcy (Ireland) Amendment Act, 1872 (35 & 36 Vict. c. 58)— <i>cont.</i></p>	<p>In section nineteen, for the words “ general orders ” there shall be substituted the words “ rules made by virtue of this Act ”, and for the words “ any general order under this Act ” there shall be substituted the words “ rules made by virtue of this Act ”.</p> <p>In section fifty-seven, for the words “ any general order to be made in pursuance of this Act ” there shall be substituted the words “ rules made by virtue of this Act ”.</p> <p>In section one hundred and twenty-four, for the words from the beginning to “ Lord Chancellor ” there shall be substituted the words “ Rules may be made under section seven of the Northern Ireland Act, 1962, for the effectual execution of this Act ”, for the words “ Any general rules made as aforesaid ” there shall be substituted the words “ Rules so made for the purpose aforesaid ” and the words from “ and any rules ” (where first occurring) to “ judicially noticed ” shall be omitted.</p>
<p>The Settled Estates Act, 1877 (40 & 41 Vict. c. 18).</p>	<p>For section forty-two, there shall be substituted the following section:—</p> <p style="padding-left: 2em;">“ 42. Rules may be made under section seven of the Northern Ireland Act, 1962, for carrying into effect the purposes of this Act and for regulating the fees and allowances to all officers and solicitors of the Court in respect of the matters to which this Act relates ”.</p>
<p>The Supreme Court of Judicature Act (Ireland), 1877 (40 & 41 Vict. c. 57).</p>	<p>In section three, for the definition of “ Rules of Court ”, there shall be substituted the following definition:—</p> <p style="padding-left: 2em;">“ ‘ Rules of Court ’ means rules made under section seven of the Northern Ireland Act, 1962 ”.</p> <p>In section twenty-four, for the words from “ and to such rules ” to “ pursuant to this Act ” there shall be substituted the words “ and to any rules of court for regulating the terms and conditions on which such appeals shall be allowed ”.</p> <p>In section twenty-six, for the words from “ or by such rules ” to “ orders of court ” (where secondly occurring) there shall be substituted the words “ or by rules of court; and where no special provision is contained in this Act or in such rules ”.</p>

*Enactment**Amendment*

The Supreme Court of Judicature Act (Ireland), 1877 (40 & 41 Vict. c. 57)—*cont.*

In section forty-eight, in the proviso, for the words "any rule made under its provisions" there shall be substituted the words "any rule of court".

In section sixty the word "general" shall be omitted.

In section sixty-five the words "to be made under and by virtue of this Act" shall be omitted.

For section sixty-six, there shall be substituted the following section:—

"66. Nothing in this Act and, subject as hereafter in this section expressly provided, nothing in rules of court, shall affect the mode of giving evidence by the oral examination of witnesses in trials by jury, or the rules of evidence, or the law relating to jurymen or juries:

Provided that nothing in this section shall—

(a) prejudice the operation of any rules made by virtue of paragraph (i) of subsection (1) of section seven of the Northern Ireland Act, 1962; or

(b) affect the power of the court for special reasons to allow depositions or affidavits to be read".

The Telegraph Act, 1878 (41 & 42 Vict. c. 76).

In section four, in subsection (3), the words from "and as respects" onwards shall be omitted.

The Bills of Sale (Ireland) Act, 1879 (42 & 43 Vict. c. 50).

In section four, for the definition of "prescribed", there shall be substituted the following definition:—

"'prescribed' means prescribed by rules made by virtue of this Act".

For section twenty-one, there shall be substituted the following section:—

"21. Rules may be made under section seven of the Northern Ireland Act, 1962, for prescribing anything which by this Act is required or authorised to be prescribed".

The Conveyancing Act, 1881 (44 & 45 Vict. c. 41).

For subsection (5) of section seventy-two, there shall be substituted the following subsection:—

"(5) In subsection (5) of section forty-eight, for the reference to general rules there shall be substituted a reference to rules under section seven of the Northern Ireland Act, 1962".

1ST SCH.

*Enactment**Amendment*

The Settled Land Act, 1882 (45 & 46 Vict. c. 38).

In section sixty-five, in subsection (3), for the words from "but General Rules" onwards there shall be substituted the words "but rules may be made under section seven of the Northern Ireland Act, 1962, directing that those matters or any of them be assigned to the Chancery judge", and subsection (5) shall be omitted.

The Corrupt and Illegal Practices Prevention Act, 1883 (46 & 47 Vict. c. 51).

Section fifty-six shall, in its application to Northern Ireland, have effect as if in subsection (1) for the words "Subject to any rules of court" there were substituted the words "Subject to any rules having effect by virtue of subsection (2) of this section", and for subsection (2), there were substituted the following subsection:—

"(2) Rules for the purposes of this Act, the Parliamentary Elections Act, 1868, and the Acts amending the same may be made under section seven of the Northern Ireland Act, 1962".

The Guardianship of Infants Act, 1886 (49 & 50 Vict. c. 27).

Section nine shall, in its application to Northern Ireland, have effect with the omission of the words "in such manner as may be prescribed by Rules of Court".

Section ten shall, in its application to Northern Ireland, have effect with the substitution, for the words "any rules of court made after the passing of this Act", of the words "any rules made under section seven of the Northern Ireland Act, 1962".

In section eleven, in paragraph (a), the words "or Ireland" shall be omitted.

The Land Law (Ireland) Act, 1887 (50 & 51 Vict. c. 33).

In section thirty-three, subsection (1) shall be omitted.

In section thirty-four, in the definition of "prescribed", for the words "rules made under the Supreme Court of Judicature Act (Ireland), 1877, as amended by this or any other Act" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962".

The Deeds of Arrangement Act, 1887 (50 & 51 Vict. c. 57).

For section eighteen, there shall be substituted the following section:—

"18. Rules may be made under section seven of the Northern Ireland Act, 1962, for the purpose of carrying this Act into effect".

<i>Enactment</i>	<i>Amendment</i>
The Railway and Canal Traffic Act, 1888 (51 & 52 Vict. c. 25).	In the application to Northern Ireland of section seventeen, subsection (3) shall be omitted.
The Supreme Court of Judicature (Ireland) Amendment Act, 1888 (51 & 52 Vict. c. 27).	In section two, for the words "by rules of court" there shall be substituted the words "by virtue of this Act". In section three, the words from "by the authority" onwards shall be omitted. After section three there shall be added the following section:— "4. In this Act "rules of court" means rules made under section seven of the Northern Ireland Act, 1962".
The County Court Appeals (Ireland) Act, 1889 (52 & 53 Vict. c. 48).	In section eighteen, for subsection (1) there shall be substituted the following subsection:— "(1) In this Act the expression 'prescribed' means prescribed by rules made under section seven of the Northern Ireland Act, 1962", and subsections (3) and (5) shall be omitted.
The Deeds of Arrangement Amendment Act, 1890 (53 & 54 Vict. c. 24).	For section three, there shall be substituted the following section:— "3. Rules may be made under section seven of the Northern Ireland Act, 1962, for the purpose of carrying this Act into effect".
The Purchase of Land (Ireland) Act, 1891 (54 & 55 Vict. c. 48).	In section twenty-five, the words "in the manner prescribed by rules of the High Court" shall be omitted.
The Colonial Probates Act, 1892 (55 & 56 Vict. c. 6).	In the application to Northern Ireland of subsection (5) of section two, the expression "rules of court" shall be construed as referring to rules made under section seven of this Act.
The Finance Act, 1894 (57 & 58 Vict. c. 30).	Subsection (1) of section ten shall, in its application to Northern Ireland, have effect with the omission of the words "within the time and in the manner and on the conditions directed by rules of court".
The Life Insurance Companies (Payment into Court) Act, 1896 (59 & 60 Vict. c. 8).	In the application of the Act to Northern Ireland, the references in sections three and four to rules of court shall be construed as referring to rules made under section seven of this Act.

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
The Supreme Court of Judicature (Ireland) (No. 2) Act, 1897 (60 & 61 Vict. c. 66).	In section three, in subsection (2), the words from "and all rules and orders" onwards shall be omitted.
The Local Government (Ireland) Act, 1898 (61 & 62 Vict. c. 37).	In section four, in subsections (5), (6) and (7), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962".
The Open Spaces Act, 1906 (6 Edw. 7. c. 25).	In section five, in subsection (4), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and the references, in subsection (7), to rules of court shall, in the application of that subsection to proceedings in the High Court, be construed as references to rules made for the purposes of that section under section seven of this Act.
The Merchant Shipping Act, 1906 (6 Edw. 7. c. 48).	In section four, subsection (3) shall, in its application to an application to the High Court, have effect with the omission of the words "in manner directed by rules of court".
The Town Tenants (Ireland) Act, 1906 (6 Edw. 7. c. 54).	Subsection (1) of section sixty-eight shall, in its application to Northern Ireland, have effect with the omission of the words "in such manner and subject to such conditions and provisions as may be provided by rules of court".
The Finance (1909-10) Act, 1910 (10 Edw. 7 & 1 Geo. 5. c. 8).	In section eleven, the words "in accordance with rules of the Supreme Court" (in both places where they occur) shall be omitted.
The Maritime Conventions Act, 1911 (1 & 2 Geo. 5. c. 57).	Section thirty-three shall have effect as if— <ul style="list-style-type: none"> (a) in subsection (4) the words from "within the time" to "duty claimed" were omitted; (b) after that subsection there were inserted the following subsection— <ul style="list-style-type: none"> "(4A) Rules may be made under section seven of the Northern Ireland Act, 1962, for enabling the High Court to require, in the case of an appeal thereto under this section, the payment of, or the giving of security for, any duty claimed".
The Finance (1909-10) Act, 1910 (10 Edw. 7 & 1 Geo. 5. c. 8).	Section thirty-three shall have effect as if— <ul style="list-style-type: none"> (a) in subsection (4) the words from "within the time" to "duty claimed" were omitted; (b) after that subsection there were inserted the following subsection— <ul style="list-style-type: none"> "(4A) Rules may be made under section seven of the Northern Ireland Act, 1962, for enabling the High Court to require, in the case of an appeal thereto under this section, the payment of, or the giving of security for, any duty claimed".
The Maritime Conventions Act, 1911 (1 & 2 Geo. 5. c. 57).	In the application of section eight to the High Court the reference to the rules of court shall be construed as referring to rules made for the purposes of that section under section seven of this Act.

<i>Enactment</i>	<i>Amendment</i>
The Trade Union Act, 1913 (2 & 3 Geo. 5. c. 30).	Subsection (4) of section two shall, in its application to Northern Ireland, have effect with the omission of the words from "within the time" onwards.
The Sex Disqualification (Removal) Act, 1919 (9 & 10 Geo. 5. c. 71).	In relation to jurors and juries in the Supreme Court, the first reference in section one to rules of court shall be construed as a reference to rules under section seven of this Act and the second reference in the said section one to rules of court shall be construed as a reference to rules made under the said section seven.
The Administration of Justice Act, 1920 (10 & 11 Geo. 5. c. 81).	Section nine shall, in its application to Northern Ireland, have effect with the substitution, in subsection (4), for the words "Rules of court shall provide", of the words "Rules made under section seven of the Northern Ireland Act, 1962, shall provide". Section eleven shall, in its application to Northern Ireland, have effect with the substitution, for the words "Provision may be made by rules of court", of the words "Rules may be made under section seven of the Northern Ireland Act, 1962, providing". Subsection (2) of section twelve shall, in its application to Northern Ireland, have effect with the substitution, for the words "rules of court", of the words "rules made under section seven of the Northern Ireland Act, 1962".
The Criminal Appeal (Northern Ireland) Act, 1930 (20 & 21 Geo. 5. c. 45).	In section one, in subsection (9), for the words "Rules of court shall provide for securing" there shall be substituted the words "Provision shall be made by rules made under section seven of the Northern Ireland Act, 1962, for securing". In section five, in subsection (1), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962". In section seven, in subsection (1), for the words "in such manner as may be directed by rules of court", there shall be substituted the words "in the prescribed manner".

1ST SCH.

*Enactment**Amendment*

The Criminal Appeal
(Northern Ireland)
Act, 1930 (20 & 21
Geo. 5. c. 45)—*cont.*

In section eight, for the words “in accordance with rules of court”, there shall be substituted the words “in the prescribed manner”.

In section nine, in paragraphs (b) and (d), for the words “in manner provided by rules of court” there shall be substituted the words “in the prescribed manner”.

In section ten, in subsection (1), for the words “Rules of court shall enable”, there shall be substituted the words “Provision shall be made by rules made under section seven of the Northern Ireland Act, 1962, for enabling”.

In section eleven, in subsection (1), for the words “except where rules of court provide” there shall be substituted the words “except where it is provided by rules made under section seven of the Northern Ireland Act, 1962”.

In section fourteen, in subsection (3), for the words from “in accordance with rules of court” onwards, there shall be substituted the words “in accordance with such provisions as may be prescribed, for such time as may be prescribed, and subject to such power as may be prescribed, for the conditional release of any such documents, exhibits or things from that custody”.

In section fifteen, in subsection (3), for the words “rules of court may make such provision” there shall be substituted the words “such provision may be made by rules under section seven of the Northern Ireland Act, 1962”.

For section sixteen, there shall be substituted the following section:—

“ 16.—(1) Rules may be made under section seven of the Northern Ireland Act, 1962, for regulating generally the practice and procedure under this Act and for prescribing anything which by this Act is required or authorised to be prescribed.

(2) The officers of any court before whom an appellant has been convicted, and the governor or other officers of any prison or other officer having the custody of an appellant, and any other officers or persons, shall comply with any rules having effect by virtue of the

*Enactment**Amendment*

The Criminal Appeal
(Northern Ireland)
Act, 1930 (20 & 21
Geo. 5. c. 45)—*cont.*

foregoing subsection so far as they affect those officers or persons, and compliance with such rules may be enforced by order of the Court.

(3) No rule affecting the governor or any other officer of a prison or any officer having the custody of an appellant shall be made under the said section seven by virtue of this Act except after consultation with the Ministry."

In section twenty, after the definitions of "Minister" and "Ministry" there shall be inserted the following definition:—

" 'prescribed' means prescribed under section seven of the Northern Ireland Act, 1962, by virtue of section sixteen of this Act ".

The Carriage by Air Act,
1932 (22 & 23 Geo. 5.
c. 36).

Section two shall, in its application to actions brought in the High Court, have effect as if, for the words "rules of court may provide", there were substituted the words "rules may be made under section seven of the Northern Ireland Act, 1962, providing".

The Foreign Judgments
(Reciprocal Enforce-
ment) Act, 1933 (23 &
24 Geo. 5. c. 13).

In section thirteen, in paragraph (b), for the words "section sixty-one" there shall be substituted the words "section seven of the Northern Ireland Act, 1962".

The Northern Ireland
Land Purchase (Wind-
ing Up) Act, 1935 (25
& 26 Geo. 5. c. 21).

In section two, in subsection (5), the words "and orders" shall be omitted, for the words from "made" (where secondly occurring) to "1877" there shall be substituted the words "made under section seven of the Northern Ireland Act, 1962", and the words "or orders" shall be omitted.

The Trade Marks Act,
1938 (1 & 2 Geo. 6.
c. 22).

Section eighteen shall, in its application to proceedings in Northern Ireland relating to trade marks, have effect as if, in subsection (7), for the words from the beginning to "the appeal", there were substituted the words "On an appeal under this section" and, in subsection (8), after the words "in the manner prescribed", there were inserted the words "by rules made for the purposes of this subsection under section seven of the Northern Ireland Act, 1962".

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
The Trade Marks Act, 1938 (1 & 2 Geo. 6. c. 22)— <i>cont.</i>	Section thirty-two shall, in its application to such proceedings as aforesaid, have effect as if, in subsection (1), for the words from “may apply” to “the Registrar”, there were substituted the words “may apply to the Court or, at the option of the applicant and subject to the provisions of section fifty-four of this Act, in the prescribed manner to the Registrar”.
	In section sixty-eight, in subsection (1), in the definition of “prescribed” after the word “means” there shall be inserted the words “(subject to provisions relating to Northern Ireland)”.
The War Damage Act, 1943 (6 & 7 Geo. 6. c. 21).	Section thirty-two shall, in its application to Northern Ireland, have effect as if, in subsection (3), for the references to rules of court, there were substituted references to rules made for the purposes of that subsection under section seven of this Act.
The Pensions Appeal Tribunals Act, 1943 (6 & 7 Geo. 6. c. 39).	In the application of subsection (2) of section six to appeals in Northern Ireland the references to rules of court shall be construed as referring to rules made for the purposes of that subsection under section seven of this Act.
The Requisitioned Land and War Works Act, 1945 (8 & 9 Geo. 6. c. 43).	In section nineteen, in subsection (2) (as amended by paragraph 7 of the Second Schedule to the Northern Ireland Act, 1947), the words from “Provision may be made” onwards shall be omitted.
The Exchange Control Act, 1947 (10 & 11 Geo. 6. c. 14).	In the Fourth Schedule, in paragraph 8, in sub-paragraph (2), for the words from “(i) as respects the High Court” to “1897”, there shall be substituted the words “(i) as respects the High Court, under section seven of the Northern Ireland Act, 1962;”.
The Representation of the People Act, 1949 (12, 13 & 14 Geo. 6. c. 68).	In section one hundred and sixty, for subsection (4) there shall be substituted the following subsection:— “(4) Subsections (1) and (2) of this section shall not apply to Northern Ireland, but rules may be made under section seven of the Northern Ireland Act, 1962, for the purposes of Part II and this Part of this Act”.

<i>Enactment</i>	<i>Amendment</i>
The Representation of the People Act, 1949 (12, 13 & 14 Geo. 6. c. 68)— <i>cont.</i>	Section one hundred and sixty-three shall, in its application to the interpretation of Part III in its application to Northern Ireland, have effect as if, for the words “ ‘prescribed’ means prescribed by rules of court ” there were substituted the words “ ‘prescribed’ means prescribed by rules made under section seven of the Northern Ireland Act, 1962 ”.
The Patents Act, 1949 (12, 13 & 14 Geo. 6. c. 87).	Section twenty-three shall, in its application to proceedings in Northern Ireland, have effect as if, in subsections (2) and (3), for the words “ prescribed by rules of court ”, there were substituted the words “ prescribed by rules made under section seven of the Northern Ireland Act, 1962 ”. Section twenty-four shall, in its application to such proceedings as aforesaid, have effect as if, in subsections (4) and (5), for the words “ prescribed by rules of court ” there were substituted the words “ prescribed by rules made under section seven of the Northern Ireland Act, 1962 ”. Section forty-eight shall, in its application to such proceedings as aforesaid, have effect with the omission, from subsection (1), of the words “ in such manner as may be prescribed by rules of court ”. Section sixty-one shall, in its application to such proceedings as aforesaid, have effect as if, for the words “ rules of court ”, there were substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”. Section eighty-four shall, in its application to such proceedings as aforesaid, have effect as if, in subsections (1) and (2), for the words “ rules of court ”, there were substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”.
The Registered Designs Act, 1949 (12, 13 & 14 Geo. 6. c. 88)	Section twenty-seven shall, in its application to proceedings in Northern Ireland, have effect as if, for the words “ rules of court ”, there were substituted the words “ rules made under section seven of the Northern Ireland Act, 1962 ”. Paragraph 3 of the First Schedule shall, in its application to such proceedings as aforesaid, have effect with the omission, from sub-paragraph (1) thereof, of the words “ in such manner as may be prescribed by rules of court ”.

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
The Election Commissioners Act, 1949 (12, 13 & 14 Geo. 6. c. 90).	In section fifteen, for subsection (5), there shall be substituted the following subsection:— “(5) Subsections (1) and (2) of this section shall not apply to Northern Ireland, but rules may be made under section seven of the Northern Ireland Act, 1962, for the purposes of the enactments mentioned in the said subsection (1)”.
The Arbitration Act, 1950 (14 Geo. 6. c. 27).	For subsection (4) of section forty-two, there shall be substituted the following subsection:— “(4) For subsection (3) of section thirty-eight, there shall be substituted the following subsection:— ‘(3) Subject to the provisions of this section, rules may be made under section seven of the Northern Ireland Act, 1962, with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act’”.
The Income Tax Act, 1952 (15 & 16 Geo. 6 & 1 Eliz. 2. c. 10).	Section sixty-four shall, in its application to proceedings in Northern Ireland, have effect as if, in subsection (8), for the words “rules of court” there were substituted the words “rules made under section seven of the Northern Ireland Act, 1962”.
The Therapeutic Substances Act, 1956 (4 & 5 Eliz. 2. c. 25).	In section seventeen, subsection (2) shall be omitted.
The Restrictive Trade Practices Act, 1956 (4 & 5 Eliz. 2. c. 68).	Section thirteen shall, in its application to proceedings in Northern Ireland, have effect as if, in subsection (4), for the words “rules of court” there were substituted the words “rules made under section seven of the Northern Ireland Act, 1962”.
The Copyright Act, 1956 (4 & 5 Eliz. 2. c. 74).	Section thirty shall, in its application to proceedings in Northern Ireland, have effect with the omission, from subsection (2), of the words “within such period as may be prescribed by rules of court”.
The Defence Contracts Act, 1958 (6 & 7 Eliz. 2. c. 38).	Section four shall, in its application to proceedings in Northern Ireland, have effect with the omission, from subsection (2), of the words “in such manner as may be prescribed by rules of court”.

Enactment

The Tribunals and
Inquiries Act, 1958
(6 & 7 Eliz. 2. c. 66).

Amendment

In section nine, for subsection (7) there shall be substituted the following subsection:—

“(7) In relation to any proceedings in Northern Ireland of any of the tribunals referred to in subsection (1) of this section, this section shall have effect with the following modifications, that is to say:—

(a) in subsection (2), for the words from the beginning to “provide” there shall be substituted the words “Rules may be made under section seven of the Northern Ireland Act, 1962, providing”, and for the words “section twenty-seven of the Supreme Court of Judicature (Consolidation) Act, 1925” there shall be substituted the words “section twenty-four of the Supreme Court of Judicature Act (Ireland), 1877”;

(b) in subsection (3), for the words “the power to make rules of court shall include power to make rules” there shall be substituted the words “rules may be made under section seven of the Northern Ireland Act, 1962”;

(c) in subsection (4), for the words from the beginning to “Divisional Court” there shall be substituted the words “Rules made under section seven of the Northern Ireland Act, 1962, relating to such proceedings as aforesaid shall provide that the appeal shall be heard or, as the case may be, the decision of the High Court shall be given by a single judge”.

The Administration of
Justice Act, 1960
(8 & 9 Eliz. 2. c. 65).

Section thirteen shall, in its application to proceedings in Northern Ireland, have effect with the substitution, in subsection (3), for the words “rules of court”, of the words “rules made under section seven of the Northern Ireland Act, 1962”. Subsection (1) of section fourteen shall, in its application to proceedings in Northern Ireland, have effect with the substitution, for the words “rules of court”, of the words “rules made under section seven of the Northern Ireland Act, 1962”.

1ST SCH.

Enactment

The Administration of
Justice Act, 1960
(8 & 9 Eliz. 2. c. 65)
—cont.

Amendment

Subsection (3) of section seventeen shall, in its application to the construction of the Act as it applies to Northern Ireland, have effect with the substitution, for the words “rules of court”, of the words “rules made under section seven of the Northern Ireland Act, 1962”.

In section eighteen, in subsection (1), for paragraph (b) there shall be substituted the following paragraph:—

“(b) empowering the making of rules under section seven of the Northern Ireland Act, 1962, for regulating the procedure and practice of that court”.

In the Second Schedule, in Part I, in paragraph 4, the words “Section eighteen” and the words “Section sixteen” shall be omitted.

In the Second Schedule, in Part II, for the entry relating to section nine there shall be substituted the following entry:—

“(1) For subsections (1) and (2) there shall be substituted the following subsections:—

‘(1) Rules may be made under section seven of the Northern Ireland Act, 1962, for the purposes of the foregoing provisions of this Act so far as they relate to the Court of Criminal Appeal in Northern Ireland.

(2) Rules may be made under the said section seven—

(a) for determining the cases in which the powers of the Divisional Court or Court of Appeal under this Act may be exercised by a judge thereof;

(b) for prescribing the persons before whom and the manner in which a recognizance shall be entered into, or other security given, where bail is granted to a person under section four or section five of this Act pending an appeal under section one of this Act from the decision of a Divisional Court or the Court of Appeal, and the manner in which any such recognizance or security may be enforced; and

(c) for authorising the recommittal of any person to whom bail is so granted.’

*Enactment**Amendment*

The Administration of
Justice Act, 1960
(8 & 9 Eliz. 2. c. 65)
—cont.

(2) In subsection (3), for the words
“ rules of court ” there shall be substi-
tuted the words “ rules made under
section seven of the Northern Ireland
Act, 1962.” ”

In the Second Schedule, in Part II, in para-
graph (3) of the entry relating to section
sixteen, for the words from “ Without
prejudice ” to “ prescribe ” there shall be
substituted the words “ Rules may be
made under section seven of the Northern
Ireland Act, 1962, prescribing ”, and for
the words “ may authorise ” there shall be
substituted the words “ for authorising ”.

In the Second Schedule, in Part II, at the
end of paragraph (1) of the entry relating
to section seventeen, there shall be added
the words “ and for the reference to rules
of court there shall be substituted a
reference to rules made under section
seven of the Northern Ireland Act, 1962 ”.

The Carriage by Air Act,
1961 (9 & 10 Eliz. 2.
c. 27).

Section eight shall, in its application to
actions brought in the High Court, have
effect as if, for the words “ rules of court
may provide ” there were substituted the
words “ rules may be made under section
seven of the Northern Ireland Act, 1962,
providing ”.

Enactments of the Parliament of Northern Ireland

The Legitimacy Act
(Northern Ireland),
1928 (18 & 19 Geo. 5.
c. 5).

In section two, in subsection (1), for the
words “ prescribed by rules of court ”
there shall be substituted the words
“ prescribed by rules made under section
seven of the Northern Ireland Act, 1962 ”.

The Bankruptcy Amend-
ment Act (Northern
Ireland), 1929 (20 Geo.
5. c. 1).

In section twenty-one, in subsection (1), for
the words from the beginning to “ 1897 ”
there shall be substituted the words
“ Rules may be made under section seven
of the Northern Ireland Act, 1962 ”, and
for the words from “ Upon ” to the end,
there shall be substituted the words
“ Rules may be made as aforesaid pro-
viding for any matters for which provision
may be necessary in order to give full effect
to this section and prescribing anything
which is to be prescribed thereunder ”.

The Motor Vehicles and
Road Traffic Act
(Northern Ireland),
1929 (20 Geo. 5. c. 21).

In section seven, in subsection (3), for the
words “ as may be prescribed by
rules of that Court and in accordance
with such procedure as may be so pre-
scribed ” there shall be substituted the
words “ as may be prescribed by rules
made under section seven of the Northern
Ireland Act, 1962 ”.

1ST SCH.

*Enactment**Amendment*

The Planning and Housing Act (Northern Ireland), 1931 (21 & 22 Geo. 5. c. 12).

In section forty-seven, in subsection (1), for the words from the beginning to "and applications" there shall be substituted the words "Rules may be made under section seven of the Northern Ireland Act, 1962, designating the division or court by which appeals or applications made to the Supreme Court under this Act are to be heard and determined".

The Preferential Payments in Bankruptcy Act (Northern Ireland), 1933 (23 & 24 Geo. 5. c. 7).

In section one, in subsection (12), for the words from the beginning to "rules and orders" there shall be substituted the words "Rules may be made under section seven of the Northern Ireland Act, 1962".

The Probates and Letters of Administration Act (Northern Ireland), 1933 (23 & 24 Geo. 5. c. 16).

In section three, for the words from the beginning to "this Act" there shall be substituted the words "Provision may be made by rules made under section seven of the Northern Ireland Act, 1962, for giving effect to this Act", and for the words "rules of the Supreme Court may be made as aforesaid for providing" there shall be substituted the words "rules made as aforesaid may provide".

The Motor Vehicles and Road Traffic Act (Northern Ireland), 1934 (24 & 25 Geo. 5. c. 15).

In section eighteen, the references to rules of court shall, in the case of applications under that section to the High Court, be construed as referring to rules made under section seven of this Act.

In section twenty-three, subsection (1) shall be omitted.

The Local Government Act (Northern Ireland), 1934 (24 & 25 Geo. 5. c. 22).

In section twenty-two, in subsection (2), paragraph (e), shall be omitted.

In the Second Schedule, in paragraph 20, for the words "rules of the Supreme Court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and the words "in manner provided by those rules" shall be omitted.

The Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935 (25 & 26 Geo. 5. c. 13).

In section thirty-one, for the words from the beginning to "cases stated" there shall be substituted the words "Rules may be made under section seven of the Northern Ireland Act, 1962, designating the division or court by which a case stated under this Part of this Act is to be heard and determined".

<i>Enactment</i>	<i>Amendment</i>
The Arbitration Act (Northern Ireland), 1937 (1 Edw. 8 & 1 Geo. 6. c. 8).	In section twenty, in subsection (1), for the words " Rules of court may be made " there shall be substituted the words " Rules may be made under section seven of the Northern Ireland Act, 1962 ", and the words from " Upon " onwards shall be omitted. In section thirty, in subsection (1), the definition of " Rules of court " shall be omitted.
The Law Reform (Miscellaneous Provisions) Act (Northern Ireland), 1937 (1 Edw. 8 & 1 Geo. 6. c. 9).	In section eighteen, in subsection (1), for the words from the beginning to " 1897 ", there shall be substituted the words " Provision may be made by rules made under section seven of the Northern Ireland Act, 1962 ", and paragraph (a) shall be omitted. In section nineteen, in subsection (1), the definition of " prescribed " shall be omitted.
The Evidence Act (Northern Ireland), 1939 (2 & 3 Geo. 6. c. 12).	In section six, in subsection (1), in the definition of " rules of court ", for the words from " rules of the Supreme Court " to " 1897 ", there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ".
The Matrimonial Causes Act (Northern Ireland), 1939 (2 & 3 Geo. 6. c. 13).	In section twenty-three, in subsection (2), for the words " rules of court " there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ". In section twenty-seven, for subsection (2), there shall be substituted the following subsection:— “(2) Rules may be made under section seven of the Northern Ireland Act, 1962, for prescribing anything which by this Act is to be prescribed”. In section twenty-eight, in subsection (1), for the words " and the rules of court made thereunder " there shall be substituted the words " and of rules made under section seven of the Northern Ireland Act, 1962 ". In section thirty, in subsection (1), in paragraph (b) of the definition of " High Court ", for the words " rules of court " there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ".

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
<p>The Prevention of Fraud (Investments) Act (Northern Ireland), 1940 (4 & 5 Geo. 6. c. 9).</p>	<p>In section four, in subsection (3), for the words from the beginning to "1897" there shall be substituted the words "Rules may be made under section seven of the Northern Ireland Act, 1962".</p>
<p>The Hire-Purchase Act (Northern Ireland), 1940 (4 & 5 Geo. 6. c. 10).</p>	<p>In section twelve, in subsection (11), for the words "the court" there shall be substituted the words "the county court".</p> <p>In section twenty-one, in subsection (1), in the definition of "Rules of court", for the words from "rules of the Supreme Court" onwards there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962".</p>
<p>The Landlord and Tenant (War Damage) Act (Northern Ireland), 1941 (5 & 6 Geo. 6. c. 9).</p>	<p>In section thirty-three, for subsection (7) there shall be substituted the following subsection:—</p> <p style="padding-left: 2em;">“(7) If any party to any proceedings in the county court under this Act is dissatisfied with the order, determination, direction or decision of the court, he may appeal therefrom to such division or court of the Supreme Court as may be designated by rules made under section seven of the Northern Ireland Act, 1962, and the Supreme Court shall have jurisdiction to hear and determine the appeal”.</p>
<p>The Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945 (1945, c. 9).</p>	<p>In section thirty-eight, in subsection (1), in the definition of "Rules of court", for the words from "rules of the Supreme Court" onwards there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962."</p> <p>In section fourteen, in subsection (5), for the words "If rules of the Supreme Court so provide" there shall be substituted the words "If rules made under section seven of the Northern Ireland Act, 1962, so provide", and for subsection (7) there shall be substituted the following subsection:—</p> <p style="padding-left: 2em;">“(7) Rules may be made under section seven of the Northern Ireland Act, 1962, designating the division or court by which an appeal from the Statutory Committee under this Part of this Act is to be heard and determined, and references in this Part of this Act to the Supreme Court shall be construed as references to the division or court so designated”.</p>

<i>Enactment</i>	<i>Amendment</i>
The Industries Development Act (Northern Ireland), 1945 (1945, c. 12).	In section four, in subsection (5), the words from " and (e) provision may be made " onwards shall be omitted. In the Schedule, in paragraph 15, for the words " rules of the Supreme Court " there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ", and the words " in manner provided by those rules " shall be omitted.
The Elections and Franchise Act (Northern Ireland), 1946 (1946, c. 8).	In section thirty-two, in subsection (2), the words " in accordance with rules of court " shall be omitted, and in subsection (3) for the words " by the authorities " and " the Supreme Court respectively " there shall respectively be substituted the words " as regards county courts by the authority " and " as regards the Supreme Court under section seven of the Northern Ireland Act, 1962 ".
The National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (1946, c. 21).	In section thirty-seven, for subsection (2) there shall be substituted the following subsection:— “(2) Rules made under section seven of the Northern Ireland Act, 1962, may designate the division or court of the Supreme Court to which references or appeals under this section are to be made”.
The National Insurance Act (Northern Ireland), 1946 (1946, c. 23).	In section forty, in subsection (4), for paragraph (a) there shall be substituted the following paragraph:— “(a) rules made under section seven of the Northern Ireland Act, 1962, may designate the division or court of the Supreme Court to which references or appeals under this subsection are to be made”.
The Drainage Act (Northern Ireland), 1947 (1947, c. 9).	In the Third Schedule, in paragraph 4, in sub-paragraph (b), for the words " rules of court " there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ", and sub-paragraph (e) shall be omitted, and in paragraph 19, for the words " rules of the Supreme Court " there shall be substituted the words " rules made under section seven of the Northern Ireland Act, 1962 ”.

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
<p>The Transport Act (Northern Ireland), 1948 (1948, c. 16).</p>	<p>In section forty-six, in subsection (1), in the proviso, for the words "Supreme Court" (where first occurring) there shall be substituted the words "such division or court of the Supreme Court as may be designated by rules made under section seven of the Northern Ireland Act, 1962".</p> <p>In the First Schedule, in paragraph 4, in sub-paragraph (1) (b), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and sub-paragraph (2) shall be omitted, and in paragraph 19, for the words "rules of the Supreme Court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and the words "in manner provided by those rules" shall be omitted.</p>
<p>The Electricity (Supply) Act (Northern Ireland), 1948 (1948, c. 18).</p>	<p>In the First Schedule, in paragraph 4, in sub-paragraph (b), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and sub-paragraph (e) shall be omitted, and in paragraph 19, for the words "rules of the Supreme Court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962" and the words "in manner provided by those rules" shall be omitted.</p>
<p>The Roads Act (Northern Ireland), 1948 (1948, c. 28).</p>	<p>In the Fifth Schedule, in paragraph 4, in sub-paragraph (b), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", in paragraph 19, for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962", and the words "in manner provided by those rules" shall be omitted, and in paragraph 25 the reference to rules of court shall, in relation to the High Court, be construed as a reference to rules made under section seven of this Act.</p>
<p>The Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949 (1949, c. 21).</p>	<p>In section eight, in subsection (1), the words "in accordance with rules of court" shall be omitted, and subsection (5) shall be omitted.</p>

<i>Enactment</i>	<i>Amendment</i>
The Adoption of Children Act (Northern Ireland), 1950 (1950, c. 6).	In section thirty-one, in subsection (1) for the words from the beginning to "make provision" there shall be substituted the words "Rules may be made under section seven of the Northern Ireland Act, 1962, providing".
The Statutory Charges Register Act (Northern Ireland), 1951 (1951, c. 3).	In section six, in subsection (5), for the words "may in accordance with rules of court appeal to the Supreme Court" there shall be substituted the words "may appeal to such division or court of the Supreme Court as may be designated for the purposes of this subsection by rules made under section seven of the Northern Ireland Act, 1962".
The Law Reform (Miscellaneous Provisions) Act (Northern Ireland), 1951 (1951, c. 7).	Section six shall be omitted.
The Health Services (Hospitals Endowments) Act (Northern Ireland), 1951 (1951, c. 21).	In section three, in subsection (3), for the words "Supreme Court" (where first occurring) there shall be substituted the words "such division or court of the Supreme Court as may be designated by rules made under section seven of the Northern Ireland Act, 1962", and the words "in accordance with rules of court" shall be omitted.
The Transport (Special Inquiries) Act (Northern Ireland), 1951 (1951, c. 22).	In section two, in subsection (1), in paragraph (c), for the words "rules of court" there shall be substituted the words "rules made under section seven of the Northern Ireland Act, 1962".
The Interpretation Act (Northern Ireland), 1954 (1954, c. 33).	In section twenty-one, in subsection (4), for the words from "by the Governor" onwards there shall be substituted the words "under section seven of the Northern Ireland Act, 1962".
The Minerals (Miscellaneous Provisions) Act (Northern Ireland), 1959 (1959, c. 17).	In section thirteen, in subsection (3), for the words "shall include references to a Judge of that Court" there shall be substituted the words "are to such division or court of the Supreme Court as may be designated by rules made under section seven of the Northern Ireland Act, 1962".
	In section sixteen, subsection (5) shall be omitted.

1ST SCH.

<i>Enactment</i>	<i>Amendment</i>
The Nurses and Midwives Act (Northern Ireland), 1959 (1959, c. 19).	In section seven, in subsection (4), the words "in accordance with rules of court" shall be omitted. In section twenty-six, in subsection (8), the words "in accordance with rules of court" shall be omitted.
The Companies Act (Northern Ireland), 1960 (1960, c. 22).	In section three hundred and forty-nine, in subsection (9), for the words "rules made under section sixty-one of the Supreme Court of Judicature Act (Ireland), 1877" there shall be substituted the words "rules of court".

PART II

ORDER IN COUNCIL AMENDED

<i>Order</i>	<i>Amendment</i>
The Northern Ireland (Crown Proceedings) Order, 1949 (S.I. 1949/1836).	In Article 3, in paragraph (3), for the words from the beginning to "1897" there shall be substituted the words "The expression 'rules of court' shall mean rules made under section seven of the Northern Ireland Act, 1962".

Section 25.

SECOND SCHEDULE

ENACTMENTS AMENDED SO AS TO PROVIDE FOR CESSER OF PAYMENT INTO EXCHEQUER OF UNITED KINGDOM OF FINES, &C., IMPOSED THEREUNDER IN NORTHERN IRELAND.

<i>Enactment</i>	<i>Amendment</i>
The Telegraph Act, 1863 (26 & 27 Vict. c. 112):	} Section ten of the Act of 1878 shall, in so far as it relates to the disposal of fines and penalties recovered under either Act, not apply to fines imposed in Northern Ireland after the passing of this Act or to penalties so imposed.
The Telegraph Act, 1878 (41 & 42 Vict. c. 76).	
The Sea Fisheries Act, 1868 (31 & 32 Vict. c. 45).	Section sixty-four shall, in so far as it relates to the payment into the Exchequer of the United Kingdom of penalties and forfeitures recovered under the Act, not apply to penalties imposed in Northern Ireland after the passing of this Act or to forfeitures so imposed.

<i>Enactment</i>	<i>Amendment</i>
The Public Stores Act, 1875 (38 & 39 Vict. c. 25).	Section fifteen shall not apply to penalties imposed in Northern Ireland after the passing of this Act.
The Sea Fisheries Act, 1883 (46 & 47 Vict. c. 22).	Section twenty-one shall, in so far as it relates to the payment into the Exchequer of the United Kingdom of fines and proceeds of forfeitures recovered under the Act, not apply to fines imposed in Northern Ireland after the passing of this Act or to proceeds of forfeitures so imposed.
The Whaling Industry (Regulation) Act, 1934 (24 & 25 Geo. 5. c. 49).	Section sixteen shall, in so far as it relates to the disposal of fines recovered by virtue of the Act, not apply to fines imposed in Northern Ireland after the passing of this Act.
The Wireless Telegraphy Act, 1949 (12, 13 & 14 Geo. 6. c. 54).	Subsection (1) of section seventeen shall not apply to fines imposed in Northern Ireland after the passing of this Act.

THIRD SCHEDULE

Section 28.

OBSOLETE, UNNECESSARY OR SPENT ENACTMENTS CEASING
TO HAVE EFFECT*Enactments of the Parliaments of Great Britain and the United Kingdom*

Session and Chapter	Short Title	Extent to which Enactment shall cease to have Effect
23 Geo. 3 c. 28.	The Irish Appeals Act, 1783.	The whole Act.
4 & 5 Will. 4. c. 92.	The Fines and Recoveries (Ireland) Act, 1834.	Section eighty.
16 & 17 Vict. c. 113.	The Common Law Procedure Amendment Act (Ireland), 1853.	Sections one hundred and twenty-nine, one hundred and forty-three, one hundred and forty-four and one hundred and sixty-two.
19 & 20 Vict. c. 102.	The Common Law Procedure Amendment Act (Ireland), 1856.	Section twenty-two.
20 & 21 Vict. c. 79.	The Probates and Letters of Administration Act (Ireland), 1857.	In section seventy-four, the words "by the rules and orders under this Act".

3RD SCH.

Session and Chapter	Short Title	Extent to which Enactment shall cease to have Effect
27 & 28 Vict. c. 38.	The Chief Rents Redemption (Ireland) Act, 1864.	Section eleven.
27 & 28 Vict. c. 99.	The Civil Bill Courts Procedure Amendment Act (Ireland), 1864.	Section thirty-eight.
30 & 31 Vict. c. 127.	The Railway Companies Act, 1867.	In section twenty-two, the words from "and the Lord Chancellor of Ireland" to "one of them" and the words "and Ireland respectively".
31 & 32 Vict. c. 20.	The Legitimacy Declaration Act (Ireland), 1868.	In section four, the words from "and the making" to "before the Court".
31 & 32 Vict. c. 54.	The Judgments Extension Act, 1868.	In section seven, the words from the beginning to "proper; and" and the words "rules, orders, and".
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	Section twenty-five.
33 & 34 Vict. c. 46.	The Landlord and Tenant (Ireland) Act, 1870.	Section forty-one.
35 & 36 Vict. c. 57.	The Debtors Act (Ireland), 1872.	In section ten, the words from "As respects any other court" to "judge of such court".
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	<p>In section six, the words from the beginning to "Court of Appeal".</p> <p>In section eighteen, the words "appointed after the commencement of this Act", the words "whether appointed before or after the commencement of this Act" and the words "whether appointed before or after the passing of this Act".</p> <p>In section nineteen, the words "appointed after the commencement of this Act".</p> <p>In section twenty-three, paragraph (4).</p> <p>In section forty-one, the words "appointed after the first day of January one thousand eight hundred and seventy-five".</p>

Session and Chapter	Short Title	Extent to which Enactment shall cease to have Effect
40 & 41 Vict. c. 57.— <i>cont.</i>	The Supreme Court of Judicature Act (Ireland), 1877.— <i>cont.</i>	In section sixty-five, the words from "In cases" onwards. In section seventy-three, the words "but this provision shall not apply to any person holding any office or clerkship at the time of the passing of this Act". In section eighty-six, the words "Except as herein-before provided with respect to error in certain cases on the Crown side of the Queen's Bench Division, error or".
44 & 45 Vict. c. 41.	The Conveyancing Act, 1881.	In section seventy-two, in subsection (3), the words from "but General Rules" onwards.
45 & 46 Vict. c. 39.	The Conveyancing Act, 1882.	In section seven, subsection (3).
52 & 53 Vict. c. 48.	The County Court Appeals (Ireland) Act, 1889.	In section eighteen, subsection (7).
3 Edw. 7. c. 37.	The Irish Land Act, 1903.	Section seventy-one.
6 & 7 Geo. 6. c. 18.	The Evidence and Powers of Attorney Act, 1943.	Section two.

Enactment of the Parliament of Northern Ireland

Session and Chapter	Short Title	Extent to which Enactment shall cease to have Effect
23 & 24 Geo. 5. c. 7.	The Preferential Payments in Bankruptcy Act (Northern Ireland), 1933.	In section one, in subsection (12), the words from "and the Governor" onwards.

FOURTH SCHEDULE

REPEALS

PART I

REPEALS TAKING EFFECT AS FROM DAY APPOINTED FOR
PURPOSES OF SECTION 1*Enactments of the Parliaments of Great Britain and the United Kingdom*

Session and Chapter	Short Title	Extent of Repeal
39 & 40 Geo. 3. c. 67.	The Union with Ireland Act, 1800.	In section one, in Article Eighth, the words from "provided that all writs of error" to "United Kingdom; and".
52 Geo. 3. c. 101.	The Charities Procedure Act, 1812.	In section one, the words from "and such order" onwards.
3 & 4 Vict. c. 108.	The Municipal Corporations (Ireland) Act, 1840.	In section one hundred and thirty-nine, the words from "and such order" to "from such order".
23 & 24 Vict. c. 4.	The Annual Revision of Rateable Property (Ireland) Amendment Act, 1860.	In section eleven, the words "and all such orders shall be final and conclusive on all parties", except as respects orders made before the day appointed for the purposes of section one of this Act.
39 & 40 Vict. c. 59.	The Appellate Jurisdiction Act, 1876.	In section three, paragraph (3), except as respects orders or judgments made or given before the day aforesaid. In section twelve, the words "or Ireland", except as respects orders or judgments so made or given.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	In section eighty-six, the words from the beginning to "therein contained", except as respects decisions, judgments, decrees or orders made or given before the day aforesaid.
10 & 11 Geo. 5. c. 67.	The Government of Ireland Act, 1920.	Section forty-nine, except as respects decisions given before the day aforesaid.
13 Geo. 5. Sess. 2. c. 2.	The Irish Free State (Consequential Provisions) Act, 1922 (Session 2).	In the First Schedule, in paragraph 6, sub-paragraph (3), except as respects decisions given before the day aforesaid.

Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.	The Income Tax Act, 1952.	In section sixty-four, subsection (9) in so far as it confers a right of appeal from the Court of Appeal, but except as respects judgments given before the day aforesaid.

Enactment of the Parliament of Ireland

Session and Chapter	Short Title	Extent of Repeal
40 Geo. 3. c. 38.	The Act of Union (Ireland), 1800.	In section one, in Article Eighth, the words from " provided that all writs of error " to " United Kingdom; and ".

PART II

REPEALS TAKING EFFECT ON COMING INTO OPERATION OF
SUBSECTION (1) OF SECTION 2*Enactments of the Parliament of the United Kingdom*

Session and Chapter	Short Title	Extent of Repeal
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ire- land), 1877.	Section fifty-two, except as respects orders made before the day appointed for the coming into operation of subsection (1) of section two of this Act. In section fifty-four, the words from " except orders " to " expressly given " and, except as respects orders made before the day aforesaid, the words from " and no appeal " onwards.
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act, 1949.	In section one hundred and twenty-six, subsection (4).

Enactment of the Parliament of Northern Ireland

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 13.	The Matrimonial Causes Act (Northern Ireland), 1939.	In section twenty-seven, in subsection (1), the words from " and the provisions " onwards.

4TH SCH.

PART III

REPEALS TAKING EFFECT ON COMING INTO OPERATION OF
SUBSECTIONS (1) TO (4) OF SECTION 10

Enactments of the Parliament of the United Kingdom

Session and Chapter	Short Title	Extent of Repeal
60 Geo. 3 & 1 Geo. 4. c. 4.	The Pleading in Mis- demeanor Act, 1819.	Section four. In section ten, the words " by information in nature of a quo warranto, or "
7 Geo. 4. c. 21.	The Mandamus (Ire- land) Act, 1826.	The whole Act.
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act, 1960.	In the Second Schedule, in Part I, paragraph 5.

Enactment of the Parliament of Ireland

Session and Chapter	Title	Extent of Repeal
19 Geo. 2. c. 12.	An Act for the better regulating of Corpora- tions.	Sections one, two and three. In section five, the words from " and also it shall and may be lawful " onwards. Sections six, fifteen and sixteen.

PART IV

REPEALS TAKING EFFECT ON THE PASSING OF THIS ACT

Enactments of the Parliaments of Great Britain and the United Kingdom

Session and Chapter	Short Title	Extent of Repeal
23 Geo. 3. c. 28.	The Irish Appeals Act, 1783.	The whole Act.
4 & 5 Will. 4. c. 92.	The Fines and Re- coveries (Ireland) Act, 1834.	Section eighty.
16 & 17 Vict. c. 38.	The Malicious Injuries (Ireland) Act, 1853.	The whole Act.
16 & 17 Vict. c. 113.	The Common Law Pro- cedure Amendment Act (Ireland), 1853.	Sections one hundred and twenty- nine, one hundred and forty- three, one hundred and forty- four and one hundred and sixty-two.

Session and Chapter	Short Title	Extent of Repeal
19 & 20 Vict. c. 102.	The Common Law Procedure Amendment Act (Ireland), 1856.	Section twenty-two. In section ninety-eight, the words "22, and".
20 & 21 Vict. c. 79.	The Probates and Letters of Administration Act (Ireland), 1857.	In section seventy-four, the words "by the rules and orders under this Act".
27 & 28 Vict. c. 38.	The Chief Rents Redemption (Ireland) Act, 1864.	Section eleven.
27 & 28 Vict. c. 99.	The Civil Bill Courts Procedure Amendment Act (Ireland), 1864.	Section thirty-eight.
30 & 31 Vict. c. 127.	The Railway Companies Act, 1867.	In section twenty-two, the words from "and the Lord Chancellor of Ireland" to "one of them" and the words "and Ireland respectively".
31 & 32 Vict. c. 20.	The Legitimacy Declaration Act (Ireland), 1868.	In section four, the words from "and the making" to "before the Court".
31 & 32 Vict. c. 54.	The Judgments Extension Act, 1868.	In section seven, the words from the beginning to "proper; and" and the words "rules, orders, and".
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	Section twenty-five.
33 & 34 Vict. c. 46.	The Landlord and Tenant (Ireland) Act, 1870.	Section forty-one.
34 & 35 Vict. c. 31.	The Trade Union Act, 1871.	In section nineteen, the words from "(B) In Ireland" to "resident magistrate".
34 & 35 Vict. c. 78.	The Regulation of Railways Act, 1871.	In section two, in its application to Northern Ireland, the words from "The term 'court of summary jurisdiction'" onwards.
34 & 35 Vict. c. 96.	The Pedlars Act, 1871.	In section twenty, in the proviso, in paragraph 1, sub-paragraph (c).
34 & 35 Vict. c. 112.	The Prevention of Crimes Act, 1871.	In section seventeen, in its application to Northern Ireland, the definition of "Court of summary jurisdiction" and the words "Provided as follows".

4TH SCH.

Session and Chapter	Short Title	Extent of Repeal
35 & 36 Vict. c. 50.	The Railway Rolling Stock Protection Act, 1872.	In section two, in its application to Northern Ireland, the definition of "Court of summary jurisdiction".
35 & 36 Vict. c. 57.	The Debtors Act (Ireland), 1872.	In section ten, the words from "As respects any other court" to "judge of such court".
35 & 36 Vict. c. 77.	The Metalliferous Mines Regulation Act, 1872.	In section thirty-three, the words from "The 'Court of Summary Jurisdiction'" onwards.
38 & 39 Vict. c. 25.	The Public Stores Act, 1875.	In section fourteen, in the proviso, the words from "and (b)" to "holding petty sessions".
38 & 39 Vict. c. 86.	The Conspiracy, and Protection of Property Act, 1875.	In section twenty-one, the words from "The court" to "petty sessions".
40 & 41 Vict. c. 18.	The Settled Estates Act, 1877.	Section forty-three.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	<p>In section six, the words from the beginning to "Court of Appeal".</p> <p>In section ten, the words from "Besides" to "such additional judges", the words "ordinary and additional", and the word "ordinary" (where last occurring).</p> <p>In section eleven, the word "ordinary".</p> <p>In section twelve, the word "ordinary".</p> <p>In section thirteen, the word "ordinary".</p> <p>In section fourteen, the words from "ex-officio" to "ordinary" (where first occurring), the words "as provided by the Chancery and Common Law Officers (Ireland) Act, 1867, and", the words "who are not also Judges of the Court of Appeal", the word "ordinary" (where last occurring) and the words "(subject to the provisions herein-after contained as to existing Judges)".</p> <p>In section eighteen, the words "appointed after the commencement of this Act", the words "whether appointed before or after the commencement of this Act", the words "whether appointed before or after the passing of this Act" and the words from "No salary" onwards.</p>

Session and Chapter	Short Title	Extent of Repeal
40 & 41 Vict. c. 57.— <i>cont.</i>	The Supreme Court of Judicature Act (Ireland), 1877.— <i>cont.</i>	<p>In section nineteen, the word “ordinary” and the words “appointed after the commencement of this Act”.</p> <p>In section twenty, the word “ordinary”.</p> <p>In section twenty-three, paragraph (4).</p> <p>Section thirty.</p> <p>In section forty-one, the word “ordinary” and the words “appointed after the first day of January one thousand eight hundred and seventy-five”.</p> <p>Section fifty-five.</p> <p>Section sixty-one.</p> <p>In section sixty-five, the words from “In cases” onwards.</p> <p>In section seventy-three, the words “but this provision shall not apply to any person holding any office or clerkship at the time of the passing of this Act”.</p> <p>In section seventy-nine, the words from “And rules of Court” onwards.</p> <p>In section eighty-six, the words “Except as herein-before provided with respect to error in certain cases on the Crown side of the Queen’s Bench Division, error or”.</p>
40 & 41 Vict. c. 65.	The Fisheries (Dynamite) Act, 1877.	In section four, the words from “as to Scotland” onwards.
41 & 42 Vict. c. 76.	The Telegraph Act, 1878.	In section ten, the words from “and as respects Ireland” to “Summary Jurisdiction Acts”.
42 & 43 Vict. c. 19.	The Habitual Drunkards Act, 1879.	In section three, in paragraph (a), the words “and Ireland”.
44 & 45 Vict. c. 41.	The Conveyancing Act, 1881.	In section seventy-two, in subsection (3), the words from “but General Rules” onwards.
45 & 46 Vict. c. 22.	The Boiler Explosions Act, 1882.	In section three, in its application to Northern Ireland, the words from “The term ‘court of summary jurisdiction’” onwards.

4TH SCH.

Session and Chapter	Short Title	Extent of Repeal
45 & 46 Vict. c. 39.	The Conveyancing Act, 1882.	In section seven, subsection (3).
50 & 51 Vict. c. 20.	The Criminal Law and Procedure (Ireland) Act, 1887.	In section nineteen, the definition of the Summary Jurisdiction Acts.
50 & 51 Vict. c. 28.	The Merchandise Marks Act, 1887.	Section twenty-two.
52 & 53 Vict. c. 48.	The County Court Appeals (Ireland) Act, 1889.	In section eighteen, subsection (7).
52 & 53 Vict. c. 63.	The Interpretation Act, 1889.	In section thirteen, paragraph (9); in paragraph (10), the words "and when used in relation to Ireland the Summary Jurisdiction (Ireland) Acts"; and paragraph (11) as respects Northern Ireland.
60 & 61 Vict. c. 66.	The Supreme Court of Judicature (Ireland) (No. 2) Act, 1897.	Section seven.
61 & 62 Vict. c. 37.	The Local Government (Ireland) Act, 1898.	In the First Schedule, in Part I, the entry relating to the Merchant Shipping Act, 1894.
3 Edw. 7. c. 37.	The Irish Land Act, 1903.	Section seventy-one.
4 Edw. 7. c. 9	The Registration of Clubs (Ireland) Act, 1904.	In section thirteen, in the definition of "Court", the words from "but in any" onwards.
1 & 2 Geo. 5. c. 50.	The Coal Mines Act, 1911.	In section one hundred and twenty-five, subsection (1).
10 & 11 Geo. 5. c. 67.	The Government of Ireland Act, 1920.	In section five, in subsection (1), the words "or take any property without compensation"; In section forty-one, subsection (2). In the Seventh Schedule, in Part II, in paragraph 2, in subparagraph (1), the word "ordinary", and subparagraph (3).
16 & 17 Geo. 5. c. 44.	The Supreme Court of Judicature of Northern Ireland Act, 1926.	In section one, in subsection (1), the word "ordinary".

Session and Chapter	Short Title	Extent of Repeal
18 & 19 Geo. 5. c. 24.	The Northern Ireland (Miscellaneous Provisions) Act, 1928.	Section one, except as respects laws made before the passing of this Act.
22 & 23 Geo. 5. c. 11.	The Northern Ireland (Miscellaneous Provisions) Act, 1932.	Sections one and six, except as respects laws made before the passing of this Act.
25 & 26 Geo. 5. c. 21.	The Northern Ireland Land Purchase (Winding Up) Act, 1935.	In section two, subsection (3).
2 & 3 Geo. 6. c. 57.	The War Risks Insurance Act, 1939.	In section twenty-one, in subsection (2), the words from "subject" onwards.
2 & 3 Geo. 6. c. 120.	The Restriction of Advertisement (War Risks Insurance) Act, 1939.	In section four, subsection (4).
5 & 6 Geo. 6. c. 9.	The Restoration of Pre-War Trade Practices Act, 1942.	In section thirteen, paragraph (f).
5 & 6 Geo. 6. c. 28.	The War Damage (Amendment) Act, 1942.	In section three, in subsection (2), the words from "In the application" onwards.
6 & 7 Geo. 6. c. 2.	The Supreme Court (Northern Ireland) Act, 1942.	Section two, except as respects rules and orders made before the passing of this Act.
6 & 7 Geo. 6. c. 18.	The Evidence and Powers of Attorney Act, 1943.	Section two.
6 & 7 Geo. 6. c. 21.	The War Damage Act, 1943.	Section fourteen, so far as it applies to Northern Ireland. In section one hundred and twenty-five, subsection (4).
9 & 10 Geo. 6. c. 73.	The Hill Farming Act, 1946.	In section forty, subsection (7).
9 & 10 Geo. 6. c. 80.	The Atomic Energy Act, 1946.	In section twenty, subsection (2).
10 & 11 Geo. 6. c. 14.	The Exchange Control Act, 1947.	In the Fifth Schedule, in Part II, in paragraph 1, sub-paragraph (5).
10 & 11 Geo. 6. c. 37.	The Northern Ireland Act, 1947.	Section two, except as respects laws made before the passing of this Act. In the Second Schedule, in paragraph 7, the words from "and as if" onwards

4TH SCH.

Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 37.	The Radioactive Substances Act, 1948.	In section fourteen, in subsection (2), paragraph (d).
11 & 12 Geo. 6. c. 51.	The White Fish and Herring Industries Act, 1948.	In section two, subsection (9).
12, 13 & 14 Geo. 6. c. 37.	The Agriculture (Miscellaneous Provisions) Act, 1949.	In section sixteen, subsection (2).
12, 13 & 14 Geo. 6. c. 43.	The Merchant Shipping (Safety Convention) Act, 1949.	In section thirty-three, subsection (4).
12, 13 & 14 Geo. 6. c. 54.	The Wireless Telegraphy Act, 1949.	In section fourteen, subsection (8).
12, 13 & 14 Geo. 6. c. 67.	The Civil Aviation Act, 1949.	In section sixty-five, in subsection (1), paragraph (c).
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act, 1949.	In section one hundred and seventy-four, in subsection (1), paragraph (a).
12, 13 & 14 Geo. 6. c. 85.	The Distribution of German Enemy Property Act, 1949.	Section ten.
12, 13 & 14 Geo. 6. c. 87.	The Patents Act, 1949	In section one hundred and four, paragraph (6).
12, 13 & 14 Geo. 6. c. 88.	The Registered Designs Act, 1949.	In section forty-six, paragraph (5).
12, 13 & 14 Geo. 6. c. 91.	The Air Corporations Act, 1949.	In section thirty-nine, paragraph (c).
14 Geo. 6. c. 9	The Merchant Shipping Act, 1950.	Section five.
14 Geo. 6. c. 37	The Maintenance Orders Act, 1950.	In section twenty-eight, in subsection (1), the definition of "court of summary jurisdiction".
14 & 15 Geo. 6. c. 48.	The Dangerous Drugs Act, 1951.	In section twenty-four, subsection (1).
15 & 16 Geo. 6 & 1 Eliz. 2 c. 44.	The Customs and Excise Act, 1952.	In section three hundred and fourteen, subsection (2).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 62.	The Agriculture (Calf Subsidies) Act, 1952.	In section three, subsection (3).

Session and Chapter	Short Title	Extent of Repeal
1 & 2 Eliz. 2. c. 15.	The Iron and Steel Act, 1953.	In section thirty-five, subsection (3).
1 & 2 Eliz. 2. c. 36.	The Post Office Act, 1953.	In section eighty-eight, in subsection (2), the definition of "summary conviction".
1 & 2 Eliz. 2. c. 50.	The Auxiliary Forces Act, 1953.	In section forty-eight, in subsection (1), the words from "constituted in accordance" to "relating to summary jurisdiction" (where secondly occurring).
2 & 3 Eliz. 2. c. 10.	The Navy, Army and Air Force Reserves Act, 1954.	In section four, subsection (4).
2 & 3 Eliz. 2. c. 27.	The Judges' Remuneration Act, 1954.	In section one, in subsection (1), in paragraph (d), the word "Ordinary".
3 & 4 Eliz. 2. c. 18.	The Army Act, 1955.	In section two hundred and fifteen, in subsection (2), the words from the beginning to "and".
3 & 4 Eliz. 2. c. 19.	The Air Force Act, 1955.	In section two hundred and thirteen, in subsection (2), the words from the beginning to "and".
3 & 4 Eliz. 2. c. 25.	The Oil in Navigable Waters Act, 1955.	In section twenty-three, in subsection (5), the words from the beginning to "those enactments; and".
4 & 5 Eliz. 2. c. 16.	The Food and Drugs Act, 1955.	In the Tenth Schedule, in paragraph 2, in the Table, the entry relating to subsection (3) of section five, and, in the entry relating to subsection (1) of section one hundred and twenty-three, the words from "constituted" to "summary jurisdiction".
4 & 5 Eliz. 2. c. 25.	The Therapeutic Substances Act, 1956.	In section seventeen, subsection (1).
4 & 5 Eliz. 2. c. 68.	The Restrictive Trade Practices Act, 1956.	In section thirty-seven, subsection (2).

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Session and Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2. c. 14.	The Northern Ireland (Compensation for Compulsory Purchase) Act, 1957.	The whole Act.
6 & 7 Eliz. 2. c. 47.	The Agricultural Marketing Act, 1958.	In section fifty-three, subsection (11).
7 & 8 Eliz. 2. c. 19.	The Emergency Laws (Repeal) Act, 1959.	In the Second Schedule, in Regulation 102 of the Defence (General) Regulations, 1939, therein set out, paragraph (2).

Enactments of the Parliament of Northern Ireland

Session, or Year, and Chapter	Short Title	Extent of Repeal
23 & 24 Geo. 5. c. 4.	The Legislative Procedure Act (Northern Ireland), 1933.	In section one, in subsection (1), the words "section six or" and the words "the Treasury".
23 & 24 Geo. 5. c. 7.	The Preferential Payments in Bankruptcy Act (Northern Ireland), 1933.	In section one, in subsection (12), the words from "and the Governor" onwards.
1957, c. 6.	The Acquisition of War-Damaged Land (Compensation) Act (Northern Ireland), 1957.	The whole Act.
1959, c. 25.	The County Courts Act (Northern Ireland), 1959.	In section twenty-one, in subsection (2), the words from "or (c) which have" onwards, and, in subsection (3), the words from "and thereupon" onwards. Sections twenty-two to twenty-seven. In section twenty-eight, the words "any of". Sections twenty-nine to thirty-two. In section thirty-three, in subsection (3), in paragraph (a), the words from "and thereupon" to "that court". Sections thirty-four and thirty-five.

Session, or Year, and Chapter	Short Title	Extent of Repeal
1959, c. 25— <i>cont.</i>	The County Courts Act (Northern Ireland), 1959— <i>cont.</i>	In section thirty-seven, subsection (1). In section forty-six, in subsection (1), paragraphs (b), (c), (d) and (e), in paragraph (f), subparagraph (ii), and paragraph (h), and subsection (3). So much of subsection (3) of section one hundred and fifty-four and of the Fifth Schedule as made provision for the repeal of the following enactments:— The Civil Bill Courts (Ireland) Act, 1851, section one hundred and thirty-eight; The Probates and Letters of Administration Act (Ireland), 1857, section sixty-two; The County Officers and Courts (Ireland) Act, 1877, sections thirty-five to thirty-seven, fifty-one and fifty-two; The County Courts Act (Northern Ireland), 1955, section twenty-two.

Orders in Council

Year and Number	Short Title	Extent of Repeal
S.R. & O. 1921/1802.	The Supreme Court of Judicature (Northern Ireland) Order, 1921.	Article 4.
S.R. & O. 1923/803.	The Government of Ireland (Miscellaneous Adaptations) (Northern Ireland) Order, 1923.	Article 5.
S.I. 1949/1835.	The Superannuation Act (Application to Existing Irish Officers) Order, 1949.	In Article 4, paragraphs (a) and (b).

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