



# Judicature (Northern Ireland) Act 1978

## 1978 CHAPTER 23

### PART I

#### CONSTITUTION OF THE [<sup>F1</sup>COURT OF JUDICATURE] OF NORTHERN IRELAND

#### **3 The Court of Appeal.**

- (1) The Court of Appeal shall consist of the Lord Chief Justice<sup>F1</sup> . . . and three other judges who shall be styled “Lords Justices of Appeal”.
- (2) Every judge of the High Court shall be a judge of the Court of Appeal for the purposes of its jurisdiction in a criminal cause or matter and for those purposes shall have all the jurisdiction of a judge of the Court of Appeal.
- (3) All the judges of the Court of Appeal shall, save as in this Act otherwise expressly provided, have in all respects equal jurisdiction and shall be addressed in the manner in which judges of the Court of Appeal in Northern Ireland were customarily addressed heretofore.
- (4) [<sup>F2</sup>The [<sup>F3</sup>Department of Justice] may, with the agreement of the Northern Ireland Judicial Appointments Commission, by order] from time to time amend subsection (1) so as to vary the number of Lords Justices of Appeal.
- <sup>F4</sup>(5) . . . . .
- [<sup>F5</sup>(6) The Department of Justice may by order from time to time create divisions or additional divisions of the Court of Appeal or provide any division be abolished; and any such order—
  - (a) may contain such provision as may appear to the Department to be necessary or proper for that purpose; and
  - (b) may amend or repeal any statutory provision (including any provision of this Act) so far as it appears to the Department to be necessary or expedient in consequence of the order.]

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**Changes to legislation:** *Judicature (Northern Ireland) Act 1978, Section 3 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### Textual Amendments

- F1** Words in s. 3(1) repealed (3.4.2006) by 2002 c. 26, ss. 86, 87(1), **Sch. 13**; S.R. 2006/124, **art. 2**, Sch. para. 11(f)
- F2** Words in s. 3(4) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 4 para. 11** (with Sch. 5 para. 16); S.I. 2010/812, art. 2
- F3** Words in s. 3(4) substituted (N.I.) (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), s. 3(2), **Sch. para. 5(1)**; S.R. 2010/147, art. 2(2)
- F4** S. 3(5) omitted (12.4.2010) by virtue of The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), **Sch. 18 para. 11(2)** (with arts. 28-31)
- F5** S. 3(6) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), **Sch. 18 para. 11(3)** (with arts. 28-31)

#### Modifications etc. (not altering text)

- C1** S. 3(1) modified (9.11.1998) by 1998 c. 42, **ss. 18(4)(c)**, 22(3), (with ss. 7(8), 22(5))  
S. 3(1) modified (27.9.1999) by 1999 c. 22, **ss. 68(3)(C)**, 108(3) (with Sch. 14 para. 7(2))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(1)(1A) substituted for s. 14(1) by [2002 c. 26 Sch. 12 para. 13](#) (This amendment not applied to legislation.gov.uk. Sch. 5 repealed (3.4.2006) without ever being in force by 2005 c. 4, Sch. 5 para. 125, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2, Sch. 1 paras. 12(f), 30(c))
- s. 106(3A) inserted by [2011 c. 24 \(N.I.\) s. 89\(1\)](#)