



Northern Ireland Act 1962

1962 CHAPTER 30

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

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

- (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—
 - (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 Abolition of prohibition of making laws taking property without compensation

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.

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15 Restrictions on diversion or taking of property not to preclude, or ever to have precluded, legislation about security of tenure, and c

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.

16 Power with respect to winding up, bankruptcy, and c

(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.

17 Power to legislate to prevent suffering by horses, and c, on exportation thereof

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 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

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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 Amendment of s. 2 (1) of Northern Ireland (Miscellaneous Provisions) Act, 1928

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 " .

19 Power to provide for imposition and recovery of charges for services

- (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.
- (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 Power to render binding upon the Crown enactments about arbitration

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.

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

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.