



Government of Ireland Act 1920

1920 CHAPTER 67

PROVISIONS AS TO COURTS OF LAW AND JUDGES.

41 Application of existing enactments and rules

- (1) Subject to the provisions of this Act and any modifications or adaptations made by Irish Transfer Orders under this Act, all enactments relating to the Supreme Court of Judicature in Ireland and the judges and officers thereof shall apply to the Supreme Court of Judicature in Southern Ireland and to the Supreme Court of Judicature in Northern Ireland respectively, and the judges and officers thereof, as they apply to the Supreme Court of Judicature in Ireland and the judges and officers thereof, and as if for references to the High Court of Justice in Ireland there were substituted references to the High Court of Justice in Southern Ireland or the High Court of Justice in Northern Ireland, as the case may be, and as if for references to the Court of Appeal in Ireland there were substituted references to the Court of Appeal in Southern Ireland or the Court of Appeal in Northern Ireland, as the case may be :

Provided that, where but for this provision an appeal under section fifty-one of the Supreme Court of Judicature Act (Ireland), 1877, would lie to a divisional court, whether by way of motion for new trial or otherwise, an appeal shall lie to the Court of Appeal in Southern Ireland or Northern Ireland as the case may be instead of to a divisional court.

- (2) The existing rules of court made under the enactments relating to the Supreme Court of Judicature in Ireland shall be deemed to have been made under those enactments as applied by this Act to the Supreme Court of Judicature in Southern Ireland and the Supreme Court of Judicature in Northern Ireland respectively, and shall have effect accordingly with the necessary modifications in Southern Ireland and Northern Ireland respectively, and any such rules of court may be altered or annulled as if they had been made under those enactments as so applied.
- (3) The Judgments Extension Act, 1868, shall apply to the registration and enforcement in the Supreme Court of Southern Ireland and Northern Ireland respectively of judgments obtained or entered up in the Supreme Courts of Northern Ireland and Southern Ireland respectively, in like manner as it applies to the registration and enforcement in the

Status: This is the original version (as it was originally enacted).

Supreme Court of Judicature in Ireland, of judgments obtained or entered up in the Supreme Court of Judicature in England.

- (4) A judge of the Supreme Court of Northern Ireland, shall not be named in a commission of assize or other commission, whether general or special, in Southern Ireland, and a judge of the Supreme Court of Southern Ireland shall not be named in a commission of assize or other commission, whether general or special, in Northern Ireland.