

SCHEDULES

SCHEDULE 17

Enactments under which functions of Lord Chancellor are transferred to the Department of Justice

Acts of the Parliament of the United Kingdom

1. Maintenance Orders (Facilities for Enforcement) Act 1920(1) so far as relating to Northern Ireland.

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Commencement Information

I1 Sch. 17 para. 1 in force at 12.4.2010, see [art. 1\(2\)](#)

2. Arbitration (International Investment Disputes) Act 1966(2) so far as relating to Northern Ireland.

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Commencement Information

I2 Sch. 17 para. 2 in force at 12.4.2010, see [art. 1\(2\)](#)

3. Paragraph 13 of Schedule 3 to the Misuse of Drugs Act 1971(3) so far as relating to Northern Ireland.

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Commencement Information

I3 Sch. 17 para. 3 in force at 12.4.2010, see [art. 1\(2\)](#)

4. Maintenance Orders (Reciprocal Enforcement) Act 1972(4) so far as relating to Northern Ireland, except section 49(2).

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Commencement Information

I4 Sch. 17 para. 4 in force at 12.4.2010, see [art. 1\(2\)](#)

5. Litigants in Person (Costs and Expenses) Act 1975(5) so far as relating to Northern Ireland.

(1) 1920 c. 33. Functions under the Act were transferred to the Lord Chancellor by [S.I. 1992/709](#). Section 11 (application to Ireland) was amended by the Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56), Schedule 1, Part 1, paragraph 5; [S.I. 1993/1576 \(N.I. 6\)](#); [S.I. 1995/755 \(N.I. 2\)](#).

(2) 1966 c.41. Section 3 was substituted by the Arbitration Act 1996 (c. 23).

(3) 1971 c. 38.

(4) 1972 c. 18. Functions of the Secretary of State under the Act, except in relation to Scotland, were transferred to the Lord Chancellor by [S.I. 1992/709](#). Relevant amendments were made by the Maintenance Orders (Reciprocal Enforcement) Act 1992 (c.56).

(5) 1975 c. 47.

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Acts of the Parliament of the United Kingdom. (See end of Document for details)

Commencement Information

I5 Sch. 17 para. 5 in force at 12.4.2010, see [art. 1\(2\)](#)

6. The following provisions of the Judicature (Northern Ireland) Act 1978(6)—
- (a) section 7(4)(7), so far as relating to the payment (but not the determination) of remuneration and allowances;
 - (b) sections 47(5)(8) and 53(1)(f) and (2)(9);
 - (c) section 53A(10), except so far as relating to the functions of the Lord Chancellor in relation to Crown Court rules which deal (or would deal) with an excepted matter;
 - (d) section 54(1)(c), (5)(11) and (6);
 - (e) section 55A(12), except so far as relating to the functions of the Lord Chancellor in relation to rules which deal (or would deal) with an excepted matter;
 - (f) sections 56(4)(13), 68(3), (5) and (6) and 68A(14);
 - (g) section 74(5)(15), so far as relating to the payment (but not the determination) of remuneration and allowances;
 - (h) sections 75(1), (7) and (9)(16), 77(1)(17), 79(1)(18), 81(a)(iv)(19), 82(1), 85(20), 102(2), 103(6), (7) and (9)(21) and 116(1) and (2);
 - (i) section 117A(22), so far as relating to the payment (but not the determination) of allowances;
 - (j) paragraph 9 of Schedule 6(23).

Commencement Information

I6 Sch. 17 para. 6 in force at 12.4.2010, see [art. 1\(2\)](#)

7. Criminal Appeal (Northern Ireland) Act 1980(24).

- (6) 1978 c. 23.
- (7) Section 7(4) was amended by [S.I. 1981/1670](#); the Constitutional Reform Act 2005 (c.4), section 145 and Schedule 17, paragraph 21.
- (8) Section 47(5) was amended by the Constitutional Reform Act 2005 (c.4), section 15(2) and Schedule 5, paragraphs 22 and 24.
- (9) Section 53(2) was amended by section 17(2) of the Justice (Northern Ireland) Act 2002 (c.26).
- (10) Sections 53A was inserted by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22, 28.
- (11) Section 54(5) was amended by section 17(3) of the Justice (Northern Ireland) Act 2002 (c. 26).
- (12) Section 55A was inserted by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22, 30.
- (13) Section 56(4) was amended by [S.I. 1979/1573](#).
- (14) Section 68A was inserted by section 10 of the Constitutional Reform Act 2005 (c. 4).
- (15) Section 74 was amended by [S.I. 1981/1670](#); the Northern Ireland Act 2009 (c. 3), section 2 and Schedule 4, paragraph 16.
- (16) Section 75 was substituted by [S.R. 1982/300](#); subsection (1) was substituted, and subsections (6) to (9) were inserted, by section 103 of the Courts Act 2003 (c. 39). There are other amendments to section 75 in the Constitutional Reform Act 2005 (c.4), section 15(2) and Schedule 5, paragraphs 22 and 35.
- (17) Section 77(1) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
- (18) Section 79(1) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
- (19) Section 81 was amended by [S.I. 1980/397](#); the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 7; the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
- (20) Section 85 was amended by the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 9; and the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
- (21) Section 103 was amended by the Constitutional Reform Act 2005 (c. 4), section 15(2), Schedule 5, paragraphs 22 and 36.
- (22) Section 117A was inserted by the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 12.
- (23) Paragraph 9 of Schedule 6 was amended by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22 and 40.
- (24) 1980 c. 47. Functions under the Act were transferred to the Lord Chancellor, and relevant amendments were made to the Act, by [S.I. 1982/159](#). Other relevant amendments were made by the Criminal Justice and Public Order Act 1994 (c. 33),

Commencement Information

17 Sch. 17 para. 7 in force at 12.4.2010, see [art. 1\(2\)](#)

8. Civil Jurisdiction and Judgments Act 1982(25) so far as relating to Northern Ireland.

Commencement Information

18 Sch. 17 para. 8 in force at 12.4.2010, see [art. 1\(2\)](#)

9. Section 25(3)(c) of the Administration of Justice Act 1982(26).

Commencement Information

19 Sch. 17 para. 9 in force at 12.4.2010, see [art. 1\(2\)](#)

10. Section 4F(3)(c) of the Repatriation of Prisoners Act 1984(27).

Commencement Information

110 Sch. 17 para. 10 in force at 12.4.2010, see [art. 1\(2\)](#)

11. Multilateral Investment Guarantee Agency Act 1988(28) so far as relating to Northern Ireland.

Commencement Information

111 Sch. 17 para. 11 in force at 12.4.2010, see [art. 1\(2\)](#)

12. Social Security Administration (Northern Ireland) Act 1992(29), except functions transferred by virtue of paragraph 24 of Schedule 4 to the Northern Ireland Act 2009(30).

Commencement Information

112 Sch. 17 para. 12 in force at 12.4.2010, see [art. 1\(2\)](#)

13. Arbitration Act 1996(31) so far as relating to Northern Ireland.

section 53; the Criminal Justice Act 2003 (c. 44) Schedule 36, Part VI, paragraphs 91 and 93; and the Constitutional Reform Act 2005 (c. 4) Schedule 9, paragraph 33.

(25) 1982 c. 27. Functions under section 5 of the Act were transferred to the Lord Chancellor, and section 5 was amended, by S.I. 1992/709. Section 5A was inserted by S.I. 2009/3131. There are other amendments to the Act, but none are relevant.

(26) 1982 c. 53. Section 25(3)(c) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 27.

(27) 1984 c. 47. Section 4F was inserted by section 95 of the Criminal Justice and Immigration Act 2008 (c.4).

(28) 1988 c. 8. Relevant amendments were made by the Arbitration Act 1996 (c. 23), section 107 and Schedule 3, paragraph 49 and Schedule 4.

(29) 1992 c. 8. Relevant amendments were made by S.I. 1998/1506 (N.I. 10), Article 59; S.I. 1999/671, Article 4 and Schedule 3, paragraph 50(4) and Article 5 and Schedule 4, paragraph 8; the Tax Credits Act 2002 (c. 21), Schedule 4, paragraph 11; the Northern Ireland Act 2009 (c. 3), Schedule 4, paragraph 24.

(30) 2009 c. 3.

(31) 1996 c. 23; Relevant amendments were made by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 250. There are other amendments to the Act, but none are relevant.

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Acts of the Parliament of the United Kingdom. (See end of Document for details)

Commencement Information

I13 Sch. 17 para. 13 in force at 12.4.2010, see [art. 1\(2\)](#)

14. Defamation Act 1996**(32)** so far as relating to Northern Ireland.

Commencement Information

I14 Sch. 17 para. 14 in force at 12.4.2010, see [art. 1\(2\)](#)

15. Damages Act 1996**(33)** so far as relating to Northern Ireland.

Commencement Information

I15 Sch. 17 para. 15 in force at 12.4.2010, see [art. 1\(2\)](#)

16. Paragraph 39(6) of Schedule 10 to the Northern Ireland Act 1998**(34)**.

Commencement Information

I16 Sch. 17 para. 16 in force at 12.4.2010, see [art. 1\(2\)](#)

17. Sections 2(2), 9A(2), 10(4) and 12(1B)(c) of, and paragraphs 1(2), 5, 6, 7, 10(3), 11, 13, 14 and 15 of Schedule 3A and paragraphs 4 and 5 of Schedule 4 to, the Justice (Northern Ireland) Act 2002**(35)**.

Commencement Information

I17 Sch. 17 para. 17 in force at 12.4.2010, see [art. 1\(2\)](#)

18. Section 221(3)(b) of the Proceeds of Crime Act 2002**(36)**.

Commencement Information

I18 Sch. 17 para. 18 in force at 12.4.2010, see [art. 1\(2\)](#)

19. The following provisions of the Courts Act 2003**(37)**—

- (a) section 102;
- (b) section 109, so far as relating to Northern Ireland.

(32) 1996 c. 31. Relevant amendments were made by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 255.

(33) 1996 c. 48. Relevant amendments were made by S.I. 1999/1820; the Courts Act 2003 (c.39), section 100; S.I. 2005/1452 (N.I. 7).

(34) 1998 c. 47.

(35) 2002 c.26. Relevant amendments were made by the Justice (Northern Ireland) Act 2004 (c.4), section 1 and Schedule 1, paragraph 1; and by the Constitutional Reform Act 2005 (c. 4), sections 11, 15 and 124 and Schedule 5, paragraphs 115(1), 118 and 124 and Schedule 15.

(36) 2002 c. 29.

(37) 2003 c. 39. Section 102 was amended by the Constitutional Reform Act 2005 (c. 4), sections 15 and 59, Schedule 4, paragraph 346 and Schedule 11, paragraph 6; section 47 of the Justice and Security (Northern Ireland) Act 2007 (c. 6). Section 109 was amended by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 349.

Commencement Information

I19 Sch. 17 para. 19 in force at 12.4.2010, see [art. 1\(2\)](#)

20. Schedule 3 to the Justice (Northern Ireland) Act 2004**(38)**.

Commencement Information

I20 Sch. 17 para. 20 in force at 12.4.2010, see [art. 1\(2\)](#)

21. The following provisions of the Civil Partnership Act 2004**(39)**—

- (a) section 188;
- (b) Schedules 15 to 17.

Commencement Information

I21 Sch. 17 para. 21 in force at 12.4.2010, see [art. 1\(2\)](#)

22. Paragraphs 9(1), 12(1) and 14(2) and (3) of Schedule 1 to the Forced Marriage (Civil Protection) Act 2007**(40)**.

Commencement Information

I22 Sch. 17 para. 22 in force at 12.4.2010, see [art. 1\(2\)](#)

23. Sections 132(1) and 163(1) of the Banking Act 2009**(41)** so far as relating to Northern Ireland.

Commencement Information

I23 Sch. 17 para. 23 in force at 12.4.2010, see [art. 1\(2\)](#)

(38) 2004 c. 4.

(39) 2004 c. 33. Section 188(4A) was inserted by [S.I. 2006/1016](#); Schedule 1, paragraph 22. Relevant amendments are made to Schedule 15 by the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13) (N.I.), Schedule 5. Relevant amendments are made to Schedule 16 by [S.I. 2006/1945 \(N.I. 14\)](#) and [S.I. 2006/1016](#), Schedule 1, paragraph 24.

(40) 2007 c. 20.

(41) 2009 c. 1.

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Acts of the Parliament of the United Kingdom.