



Interpretation Act (Northern Ireland) 1954

1954 CHAPTER 33

OPERATION OF ENACTMENTS

19 Effect of words of incorporation.

- (1) Where an Act passed after the commencement of this Act contains words establishing, or providing for the establishment of, a body corporate and applying this section to that body those words shall operate—
- (a) to vest in that body when established—
 - (i) the power to sue in its corporate name;
 - (ii) the power to enter into contracts in its corporate name, and to do so that, as regards third parties, the body shall be deemed to have the same power to make contracts as an individual has;
 - (iii) the right to have a common seal and to alter or change that seal at pleasure;
 - (iv) the right to acquire and hold ^{F1}... any real or personal property for purposes for which the corporation is constituted and to dispose of or charge such property at pleasure;
 - (v) the right to regulate its own procedure and business; and
 - (vi) the right to employ such staff as may be found necessary for the performance of its functions;
 - (b) to make that body liable to be sued in its corporate name;
 - (c) to require that judicial notice shall be taken of the common seal of that body, and that every document purporting to be a document sealed by that body and to be attested in accordance with the statutory provisions, if any, applicable to the attestation of documents so sealed shall, unless the contrary is proved, be received in evidence and be deemed to be such a document without further proof;
 - (d) to vest in a majority of the members of that body the power, subject to any quorum fixed by the enactment under which it is established or by any relevant standing orders, to bind other members thereof; and

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- (e) to exempt from personal liability for the debts, obligations or acts of that body, such members thereof as do not contravene the provision of the Act under which the body is established.
- (2) Without prejudice to sub-section (1) of section two, the application of this section to a body corporate shall not—
- (a) prevent additional powers being conferred by any enactment on that body; or
 - (b) prevent the powers conferred by virtue of such application being limited by any enactment; or
 - (c) prejudice or affect any liability of any member of that body to be surcharged with the payment of any amount which may be disallowed, by an auditor acting in pursuance of any statutory provision, in the accounts of that body.

F1 1960 c. 20 (NI)

Modifications etc. (not altering text)

- C1** S. 19 applied (1.7.2006) by Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006/1254 (N.I. 9)), arts. 1(3), 3(3), **Sch. 1 para. 1(3)** (with arts. 49, 62); S.R. 2006/257, **art. 2(a)(c)**
- C2** S. 19 applied by S.I. 2006/2953 (N.I. 17), Sch. para. 1(3) (as substituted (23.5.2008) by Commission for Victims and Survivors Act (Northern Ireland) 2008 (c. 6), s. 1(3), **Sch. 1**)
- C3** S. 19 applied (20.8.2008) by Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2008 (S.R. 2008/310), **art. 3(1)**
- C4** S. 19 applied (1.10.2008) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 1(2), 12(2), **Sch. 1 para. 1(3)**; S.R. 2008/396, **art. 2(a)(g)**
- C5** S. 19 applied (27.3.2009) by Charities Act (Northern Ireland) 2008 (c. 12), ss. 6(8), 185(1) (with Sch. 1); S.R. 2009/138, **art. 2**, Sch.
- C6** S. 19 applied (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 7(2), 34(3), **Sch. 1 para. 1(5)**; S.R. 2009/114, **art. 2**
- C7** S. 19 applied (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 12(2), 34(3), **Sch. 2 para. 1(5)**; S.R. 2009/114, **art. 2**
- C8** S. 19 applied (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 14(2), 34(3), **Sch. 3 para. 1(5)**; S.R. 2009/114, **art. 2**
- C9** S. 19 applied (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 16(2), 34(3), **Sch. 4 para. 1(3)**; S.R. 2009/114, **art. 2**
- C10** S. 19 applied (27.3.2010) by Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 7), ss. 15(2), 26(1)(b)
- C11** S. 19 applied (2.4.2012) by The Local Government (Constituting Joint Committees as Bodies Corporate) Order (Northern Ireland) 2012 (S.R. 2012/10), arts. 1, 3
- C12** S. 19 applied (10.7.2014) by The Police Rehabilitation and Retraining Trust Regulations (Northern Ireland) 2014 (S.R. 2014/163), regs. 1, 3(2)
- C13** S. 19 applied (12.12.2014) by Education Act (Northern Ireland) 2014 (c. 12), s. 7, **Sch. 1 para. 1(3)** (with Sch. 2 para. 4(3))
- C14** S. 19 applied (1.4.2015) by The Local Government (Constituting a Joint Committee a Body Corporate) Order (Northern Ireland) 2015 (S.R. 2015/183), arts. 1, 3
- C15** S. 19 applied (1.4.2015) by Local Government Act (Northern Ireland) 2014 (c. 8), ss. 76(7), 129 (with s. 124(4)); S.R. 2015/209, art. 2, Sch. 1
- C16** S. 19 applied (1.4.2016) by The Northern Ireland Police Fund Regulations 2016 (S.R. 2016/14), regs. 1, 3(2)
- C17** S. 19 applied in part (24.2.2020) by The Victims Payments Regulations 2020 (S.I. 2020/103), reg. 1(2), **Sch. 1 para. 1(3)**
- C18** S. 19 applied in part (27.3.2020) by Historical Institutional Abuse (Northern Ireland) Act 2019 (c. 31), s. 33(2), **Sch. 1 para. 1(3)**; S.R. 2020/48, art. 2(b)

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- C19** S. 19 applied by (7.6.2022) by [Climate Change Act \(Northern Ireland\) 2022 \(c. 31\)](#), **ss. 37(3)(b)**, 64
- C20** S. 19(1)(a)(v) referred to (1.10.2008) by [Libraries Act \(Northern Ireland\) 2008 \(c. 8\)](#), ss. 1(2), 12(2), **Sch. 1 para. 10**; S.R. 2008/396, **art. 2(a)(g)**
- C21** S. 19(1)(a)(v) applied (12.12.2014) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), s. 7, **Sch. 1 para. 9** (with Sch. 2 para. 4(3))

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