



# Administration of Justice Act (Northern Ireland) 1954

## 1954 CHAPTER 9

### PART I

#### COURTHOUSES<sup>F1</sup>

#### **5 Supplementary provisions as to transfer of courthouses and courtrooms.**

- (1) The Ministry may require a council to deliver to it, within such reasonable time as the Ministry may specify, a statement setting out full particulars of all estates and interests in or attaching to courthouses and courtrooms owned by or let to the council and of all property, rights and liabilities held, enjoyed or incurred in connection therewith, and may require such further information to be supplied and documents (including plans, title deeds, agreements and other documents) to be handed over to the Ministry as may appear to the Ministry to be necessary for the due transfer of any property, rights or liabilities under this Part of this Act.
- (2) Where, with the permission of the Ministry, the council retains after the appointed day possession of any document relating to the title to, or to the tenancy of, or to the control or management of, any courthouse or courtroom or to any right or liability connected therewith, the council shall be deemed to have given to the Ministry an acknowledgment in writing to production of that document and to delivery of copies thereof and an undertaking in writing for the safe custody thereof, and section nine of the Conveyancing and Law of Property Act, 1881, shall, notwithstanding anything in sub-section (13) thereof, apply to that acknowledgment and undertaking.
- (3) In the construction and for the purposes of any enactment, judgment, decree, order, award, deed or other instrument or document (including a policy of insurance) passed or made before the appointed day in relation to any courthouse or other property, rights or liabilities transferred under this Part of this Act, references to the council from whom such property, rights and liabilities are transferred shall be construed as references to the Ministry.
- (4) Without prejudice to the generality of the preceding provisions of this section—

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**Changes to legislation:** There are currently no known outstanding effects for the Administration of Justice Act (Northern Ireland) 1954, Section 5. (See end of Document for details)

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- (a) where any property or right transferred under this Part of this Act or the title to any such property or right is entered on any register kept in pursuance of any enactment, the name of the Ministry shall at its request be substituted for that of the council on such register and it shall be the duty of the person keeping such register to comply with such request and to take such other action as may be necessary on his part to give effect to any transfer effected under this Part of this Act;
- (b) where under this Part of this Act any right or liability of a council becomes a right or liability of the Ministry, the Ministry and all other persons shall, as from the appointed day, have the like rights, powers and remedies for ascertaining, perfecting and enforcing that right or liability as if the right or liability had remained a right or liability of the council;

*Para. (c) spent*

- (5) Any question as to whether any property, right or liability has been or will be transferred under this Part of this Act and any dispute arising between the Ministry and a council with respect to any courthouse or courtroom (including a dispute arising with respect to apportionment of liabilities) may in accordance with county court rules be referred to and determined by the judge of the county court having jurisdiction in the area in which the courthouse concerned is situated, and the determination of such judge on such reference shall be final.

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act (Northern Ireland) 1954, Section 5.