



Northern Ireland Act 1998

1998 CHAPTER 47

PART VIII

MISCELLANEOUS

Judicial scrutiny

82 The Judicial Committee.

- (1) Any decision of the Judicial Committee in proceedings under this Act shall be stated in open court and shall be binding in all legal proceedings (other than proceedings before the Committee).
- (2) No member of the Judicial Committee shall sit and act as a member of the Committee in proceedings under this Act unless he holds or has held—
 - (a) the office of a Lord of Appeal in Ordinary; or
 - (b) high judicial office as defined in section 25 of the ^{M1}Appellate Jurisdiction Act 1876 (ignoring for this purpose section 5 of the ^{M2}Appellate Jurisdiction Act 1887).
- (3) Her Majesty may by Order in Council—
 - (a) confer on the Judicial Committee in relation to proceedings under this Act such powers as Her Majesty considers necessary or expedient;
 - (b) apply the ^{M3}Judicial Committee Act 1833 in relation to proceedings under this Act with exceptions or modifications;
 - (c) make rules for regulating the procedure in relation to proceedings under this Act before the Judicial Committee.
- (4) A statutory instrument containing an Order in Council under subsection (3)(a) or (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In this section “proceedings under this Act” means proceedings on a question referred to the Judicial Committee under section 11 or proceedings under Schedule 10.

Status: Point in time view as at 01/03/1999. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 82. (See end of Document for details)

Commencement Information

- II** S. 82 wholly in force at 2.12.1999; s. 82 not in force at Royal Assent see s. 101(3); s. 82(3)-(5) in force at 1.3.1999 by S.I. 1999/340, art. 2(3), **Sch. Pt. 3**; s. 82(1)(2) in force at 2.12.1999 by S.I. 1999/3209, art. 2, **Sch.**
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Marginal Citations

M1 1876 c.59.

M2 1887 c.70.

M3 1833 c.41.

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Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 82.