



# Government of Ireland Act 1920

## 1920 CHAPTER 67

### *PROVISIONS AS TO COURTS OF LAW AND JUDGES.*

#### **51 Special provision for decision of constitutional questions**

- (1) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Act, or order having the effect of an Act of the Parliament of Southern Ireland or Northern Ireland, or any provision thereof, or any Bill introduced in either of those Parliaments, or any provision thereof, or any legislative proposal before the Council of Ireland, is beyond the powers of such Parliament or Council or whether any service is an Irish Service within the meaning of this Act or not, or if the Joint Exchequer Board, or any two members of the Board, in the execution of their duties under this Act, are desirous of obtaining the decision of any question of the interpretation of this Act, or other question of law, which arises in connexion with those duties, the Lord Lieutenant, Secretary of State, or Board, or Members thereof, as the case may be, may represent the same to His Majesty in Council, and thereupon, if His Majesty so directs, the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council.
- (2) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.
- (3) Nothing in this Act shall prejudice any other power of His Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition His Majesty for such reference.