



Northern Ireland Land Purchase (Winding Up) Act 1935

1935 CHAPTER 21

2 Transfer of judicial functions to the Chancery Judge

- (1) The functions of the Court of the Commission and of the Judicial Commissioner (except the functions of the Judicial Commissioner under section thirty-three of the Act of 1925 with respect to the making of rules under any of the powers thereby made exercisable by him) shall be transferred to and performed by the High Court, and all matters and proceedings which would have been within the cognisance of the Court of the Commission or of the Judicial Commissioner if this Act had not passed shall be assigned to the Chancery Judge.
- (2) Appeals shall lie to His Majesty's Court of Appeal in Northern Ireland in respect of any matters or proceedings in respect of which immediately before the appointed day appeals lay to that Court from the Court of the Commission or from the Judicial Commissioner.
- (3) Section fifty-five of the Supreme Court of Judicature (Ireland) Act, 1877, shall apply to the transaction of the business assigned to the Chancery Judge by this section, and subsections (4) and (5) of section twenty-eight of the Purchase of Land (Ireland) Act, 1891, shall cease to have effect.
- (4) All matters and proceedings pending in the Court of the Commission, or before the Judicial Commissioner, at the appointed day shall be continued in the High Court and be assigned as aforesaid, and all appeals from the Court of the Commission, or from the Judicial Commissioner, pending at the appointed day shall be continued as if the determination to which the appeal relates had been given by the Chancery Judge, and the Chancery Judge or the Court of Appeal, as the case may be, may give any necessary directions as to the manner in which any such matters, proceedings or appeals are to be continued as aforesaid.
- (5) Rules and orders required to be made in reference to the exercise of the functions transferred by virtue of this section shall be made and altered by the authorities in that behalf provided by the Supreme Court of Judicature (Ireland) Act, 1877, but, until they are superseded by rules or orders so made, the exercise of the functions transferred as

Status: This is the original version (as it was originally enacted).

aforesaid shall be regulated in accordance with the rules, orders and practice of the Commission in force immediately before the appointed day.