



Ireland Act 1949

1949 CHAPTER 41

3 Other provisions as to operation of United Kingdom and colonial laws in relation to Republic of Ireland.

(1) It is hereby declared that—

(a) the operation of the following statutory provisions, that is to say—

(i) the British Nationality Act, 1948 (and in particular, and without prejudice to the generality of the preceding words, sections two, three and six thereof);

(ii) so much of any Act, or of any Act of the Parliament of Northern Ireland, as gives effect, or enables effect to be given, to agreements or arrangements made at any time after the coming into operation of the original constitution of the Irish Free State, being agreements or arrangements made with the Government of, or otherwise affecting, the part of Ireland which now forms the Republic of Ireland, including agreements or arrangements made after the commencement of this Act; and

(iii) the Orders in Council made under sections five and six of the Irish Free State (Consequential Provisions) Act, 1922 (Session 2),

is not affected by the fact that the Republic of Ireland is not part of His Majesty's dominions ; and

(b) that, in the .said provisions, and in any Act of Parliament or other enactment or instrument whatsoever, so far as it operates as part of the law of, or of any part of, the United Kingdom or any colony, protectorate or United Kingdom trust territory, references to citizens of Eire include, on their true construction, references to citizens of the Republic of Ireland.

(2) Until provision to the contrary is made by Parliament or by some other authority having power in that behalf, the following provisions shall have effect as respects any Act of Parliament or other enactment or instrument whatsoever passed or made before the passing of this Act, so far as it operates as part of the law of, or of any part of, the United Kingdom or any colony, protectorate or United Kingdom trust territory, that is to say—

Status: This is the original version (as it was originally enacted).

- (a) if it contains a reference to His Majesty's dominions, or to any parts thereof, which would have extended so as in any way to include the Republic of Ireland had that part of Ireland remained part of His Majesty's dominions, it shall have effect, with any necessary adaptations, as if that reference did extend so as in that way to include the Republic of Ireland, notwithstanding that that part of Ireland is no longer part of His Majesty's dominions ; and
 - (b) in particular and without prejudice to the generality of the preceding paragraph, if it contains a reference to all, or to any classes or descriptions of, British or British-built ships or aircraft which would have extended so as in any way to include all, or any classes or descriptions of, the ships or aircraft of or built in the Republic of Ireland had that part of Ireland remained part of His Majesty's dominions, it shall have effect, with any necessary adaptations, as if that reference did extend so as in that way to include all, or that class or description of, the ships or aircraft of or built in the Republic of Ireland, as the case may be, notwithstanding that that part of Ireland is no longer part of His Majesty's dominions.
- (3) The last preceding subsection shall not apply to so much of section two of the Regency Act, 1937, as requires that a declaration under that section of the incapacity or unavailability of the Sovereign should be communicated to the Governments of His Majesty's dominions, and nothing in this section shall be construed as implying that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles requires the assent of the Parliament of the Republic of Ireland.