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**1975 No. 156**

**NORTHERN IRELAND**

**The Northern Ireland (Lieutenancy) Order 1975**

*Made* - - - - - 12th February 1975  
*Coming into Operation* 6th March 1975

At the Court at Buckingham Palace, the 12th day of February 1975

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 36(5) of the Northern Ireland Constitution Act 1973(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Citation, commencement, interpretation and extent*

1. —(1) This Order may be cited as the Northern Ireland (Lieutenancy) Order 1975 and shall come into operation on 6th March 1975.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) In this Order—

(a) references to counties or county boroughs are to them as defined for local government purposes immediately before 1st October 1973, subject to any subsequent definition of their boundaries for the time being in force under the Boundary Survey (Ireland) Act 1854(c), the Boundary Survey (Ireland) Act 1857(d), the Boundary Survey (Ireland) Act 1859(e) or the County Boundaries (Ireland) Act 1872(f);

(b) any reference to an enactment is a reference to it as it has effect in Northern Ireland;

(c) any reference to an enactment is a reference to it as amended by, and includes a reference to it as extended or applied by, any other enactment.

(4) This Order extends to Northern Ireland only.

*Lord-lieutenants and lieutenants*

2. Her Majesty—

(a) shall appoint a lord-lieutenant, and

(b) may appoint one or more than one lieutenant,

for each county and county borough in Northern Ireland.

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(a) 1973 c. 36.

(c) 1854 c. 17.

(e) 1859 c. 8.

(b) 1889 c. 63.

(d) 1857 c. 45.

(f) 1872 c. 48.

*Vice lord-lieutenants and deputy lieutenants*

3.—(1) A lord-lieutenant may appoint for the county or county borough for which he acts—

- (a) subject to paragraph (2) below, a vice lord-lieutenant; and
- (b) subject to paragraph (3) below, such number of deputy lieutenants as Her Majesty from time to time authorises.

(2) A person shall be qualified for appointment as the vice lord-lieutenant for a county or county borough if—

- (a) he is a lieutenant or deputy lieutenant for that county or county borough, and
- (b) Her Majesty approves of his being appointed.

(3) A person shall be qualified for appointment as a deputy lieutenant for a county or county borough if—

- (a) he has a place of residence in that county or county borough or within seven miles from its boundary;
- (b) he is shown to the satisfaction of the Secretary of State to have rendered either—
  - (i) worthy service as a member of, or in a civil capacity in connection with, Her Majesty's naval, military or air forces, or
  - (ii) such other service as, in the opinion of the Secretary of State, makes him suitable for appointment as a deputy lieutenant; and
- (c) Her Majesty does not disapprove of his being appointed.

(4) The commission of a vice lord-lieutenant—

- (a) shall be vacated on the lord-lieutenant who granted it ceasing to be the lord-lieutenant for the county or county borough for which he acted at the time of the grant;
- (b) may be revoked by the lord-lieutenant who granted it;
- (c) shall be revoked by the lord-lieutenant who granted it, upon the lord-lieutenant's being informed of Her Majesty's pleasure that it be revoked.

(5) The commission of a deputy lieutenant shall not be vacated by the lord-lieutenant who granted it ceasing to be a lord-lieutenant; but it shall be revoked by the lord-lieutenant for the time being for the county or county borough for which the commission was granted upon his being informed of Her Majesty's pleasure that it be revoked.

*Functions of lord-lieutenants, etc.*

4.—(1) Subject to the provisions of any Act, the lord-lieutenant, lieutenants and deputy lieutenants appointed for any county or county borough shall have such jurisdiction, duties, powers and privileges as are conferred on them respectively by or under any Act of Parliament for the time being in force.

(2) If the lord-lieutenant for a county or county borough has appointed a vice lord-lieutenant, then,—

- (a) while the lord-lieutenant is absent from the county or county borough or is unable to act by reason of sickness or otherwise; and
- (b) so long as no authorisation under paragraph (3) below is in force, the vice lord-lieutenant may act in his stead.

(3) Where, in the case of any county or county borough,—

(a) there is no lord-lieutenant, or

(b) the lord-lieutenant is absent from the United Kingdom or is unable to act by reason of sickness or otherwise,

Her Majesty may authorise three persons (each of whom must be either a lieutenant or a deputy lieutenant for the county or county borough) to act as the lord-lieutenant or (as the case may require) in his stead.

(4) Any person or persons authorised to act instead of a lord-lieutenant by paragraph (2) or under paragraph (3), and any persons authorised to act as a lord-lieutenant under paragraph (3), above may do all acts which might lawfully be done by the lord-lieutenant and shall for all purposes stand in the place of the lord-lieutenant.

#### *Clerks of general meetings*

5.—(1) The lord-lieutenant of a county or county borough, the lieutenants (if any) and the deputy lieutenants (if any), or a majority of them, shall appoint an officer to be known as the clerk of the general meetings of the lieutenancy and may remove him from office when they think fit.

(2) The clerk shall cause to be published in the Belfast Gazette the name of any person appointed vice lord-lieutenant, and the names of the persons appointed deputy lieutenants, for the county or county borough for which he acts, with the dates of their commissions, in like manner as commissions of officers of Her Majesty's land forces are published.

(3) The expenses of any publication under paragraph (2) above shall be defrayed by the Secretary of State.

#### *Transitional provisions*

6.—(1) Without prejudice to Article 7(1) below, any reference in an enactment passed, or an instrument made, before the commencement of this Order to a lieutenant of a county, county borough, county of a city or place (except where the reference is to the lieutenant of a particular county or county borough) shall be construed as a reference to the lord-lieutenant of a county or a county borough.

(2) Any reference in an enactment passed, or an instrument made, before the commencement of this Order to the lieutenant of a particular county or county borough shall be construed as a reference to the lord-lieutenant of that county or county borough.

(3) Any deputy lieutenant holding office immediately before the commencement of this Order shall continue to hold that office thereafter, but without prejudice to any power to revoke his commission.

#### *Amendments and repeals*

7.—(1) In section 18 of the Custos Rotulorum (Ireland) Act 1831(a) for the words "lieutenants, vice-lieutenants" there shall be substituted the words "lord-lieutenants, lieutenants, vice lord-lieutenants".

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(a) 1831 c. 17.

(2) The enactments set out in columns 1 and 2 of the Schedule to this Order are hereby repealed to the extent specified in column 3 of the Schedule.

*N. E. Leigh,*

Article 7(2).

SCHEDULE  
ENACTMENTS REPEALED

| Chapter                                      | Short Title                                                                   | Extent of Repeal                                                                                                                               |
|----------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 49 Geo. 3 c. 120.<br>39 & 40 Vict. c. 76.    | The Militia (Ireland) Act 1809<br>The Municipal Privilege Act, Ireland, 1876. | Section 74.<br>The whole Act.                                                                                                                  |
| 45 & 46 Vict. c. 49.<br>61 & 62 Vict. c. 37. | The Militia Act 1882.<br>The Local Government (Ireland) Act 1898.             | The whole Act.<br>In section 69(1) the word "lieutenant" where it first occurs and the words from "and a lieutenant for the counties" onwards. |
| 1966 c. 30.                                  | The Reserve Forces Act 1966.                                                  | Section 20(1).                                                                                                                                 |

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order makes provision for the appointment of lord-lieutenants, vice lord-lieutenants, lieutenants and deputy lieutenants in Northern Ireland. Statutory functions at present exercisable by lieutenants become exercisable, under the Order, by lord-lieutenants.

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