



# Union with Ireland Act 1800

1800 CHAPTER 67 39 and 40 Geo 3

## ARTICLE FOURTH

†That such Act as shall be passed in Ireland to regulate the mode of summoning and returning the lords and commoners to serve in the united Parliament of the United Kingdom, shall be considered as part of the treaty of union.

. . . <sup>F1</sup>That such Act as shall be passed in the Parliament of Ireland previous to the union, to regulate the mode by which the lords spiritual and temporal and the commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament, shall be considered as forming part of the treaty of union, and shall be incorporated in the Acts of the respective Parliaments by which the said union shall be ratified and established: . . . <sup>F1</sup>

### Textual Amendments

F1 Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\), Sch. Pt. I](#)

### Textual Amendments

F1 Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\), Sch. Pt. I](#)

†That any peer of Ireland may be elected to serve in the House of Commons of the United Kingdom, unless previously elected to sit in the House of Lords, but shall not be entitled to the privilege of peerage, etc.

That any person holding any peerage of Ireland now subsisting, or hereafter to be created, shall not thereby be disqualified from being elected to serve, if he shall so think fit, or from serving or continuing to serve, if he shall so think fit, for any county, city or borough . . . <sup>F2</sup>, in the House of Commons of the United Kingdom, . . . <sup>F3</sup>; but that so long as such peer of Ireland shall so continue to be a member of the House of Commons, he shall not be entitled to the privilege of peerage, . . . <sup>F4</sup>

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*Changes to legislation: There are currently no known outstanding effects for the Union with Ireland Act 1800, Article Fourth. (See end of Document for details)*

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#### Textual Amendments

- F2** Words repealed by [Peerage Act 1963 \(c. 48\)](#), [Sch. 2](#)
- F3** Words repealed by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. I](#)
- F4** Words repealed by virtue of repeal by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#) of s. 1 of this Act so far as it ratifies those words and by [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. I](#)

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### **His Majesty may create peers, and make promotions in the peerage of Ireland after the union, under certain regulations.**

That it shall be lawful for his Majesty, his heirs and successors, to create peers of Ireland, and to make promotions in the peerage thereof, after the union; provided that no new creation of any such peers shall take place after the union, until three of the peerages of Ireland which shall have been existing at the time of the union shall have become extinct; and upon such extinction of three peerages that it shall be lawful for his Majesty, his heirs and successors, to create one peer of Ireland; and in like manner so often as three peerages of Ireland shall become extinct, it shall be lawful for his Majesty, his heirs and successors, to create one other peer of the said part of the United Kingdom; and if it shall happen that the peers of Ireland shall, by extinction of peerages or otherwise, be reduced to the number of one hundred exclusive of all such peers of Ireland as shall hold any peerage of Great Britain subsisting at the time of the union, or of the United Kingdom created since the union, by which such peers shall be entitled to an hereditary seat in the House of Lords of the United Kingdom then and in that case it shall and may be lawful for his Majesty, his heirs and successors, to create one peer of Ireland, as often as any one of such one hundred peerages shall fail by extinction, or as often as any one peer of Ireland shall become entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom; it being the true intent and meaning of this Article, that at all times after the union it shall and may be lawful for his Majesty, his heirs and successors, to keep up the peerage of Ireland to the number of one hundred, over and above the number of such of the said peers as shall be entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom:

**Peerages in abeyance to be deemed existing peerages, and no peerage to be deemed extinct but on default of claim for a year after the death of the late possessor. If a claim be after that period made and allowed, and a new creation shall have taken place in the interval, no new right of creation shall accrue to his Majesty on the next extinction of a peerage.**

That if any peerage shall at any time be in abeyance, such peerage shall be deemed and taken as an existing peerage; and no peerage shall be deemed extinct, unless on default of claimants to the inheritance of such peerage for the space of one year from the death of the person who shall have been last possessed thereof; and if no claim shall be made to the inheritance of such peerage, in such form and manner as may from time to time be prescribed by the House of Lords of the United Kingdom, before the expiration of the said period of a year, then and in that case such peerage shall be deemed extinct; provided that nothing herein shall exclude any person from afterwards putting

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in a claim to the peerage so deemed extinct; and if such claim shall be allowed as valid by judgement of the House of Lords of the United Kingdom, reported to his Majesty, such peerage shall be considered as revived; and in case any new creation of a peerage of Ireland shall have taken place in the interval, in consequence of the supposed extinction of such peerage, then no new right of creation shall accrue to his Majesty, his heirs or successors in consequence of the next extinction which shall take place of any peerage of Ireland:

**Questions touching the election of members to sit in the House of Commons of the United Kingdom on the part of Ireland shall be decided as questions touching such elections in Great Britain.**

That all questions touching the election of members to sit on the part of Ireland in the House of Commons of the United Kingdom shall be heard and decided in the same manner as questions touching such elections in Great Britain now are or at any time hereafter shall by law be heard and decided; subject nevertheless to such particular regulations in respect of Ireland as, from local circumstances, the Parliament of the United Kingdom may from time to time deem expedient: . . . <sup>F5</sup>

**Textual Amendments**

**F5** Words repealed by Act 21 & 22 Vict. c. 26

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**When his Majesty shall declare his pleasure for holding a Parliament of the United Kingdom, a proclamation shall issue to cause the lords and commons, who are to serve on the part of Ireland to be returned as shall be provided by any Act of the present session in Ireland.**

That when his Majesty, his heirs or successors, shall declare his, her or their pleasure for holding the first or any subsequent Parliament of the United Kingdom, a proclamation shall issue, under the Great Seal of the United Kingdom, to cause the . . . <sup>F6</sup> commons, who are to serve in the Parliament thereof on the part of Ireland, to be returned in such manner as by any Act of this present session of the Parliament of Ireland shall be provided; and that the lords spiritual and temporal and commons of Great Britain shall, together with the . . . <sup>F6</sup> commons so returned as aforesaid on the part of Ireland, constitute the two Houses of the Parliament of the United Kingdom: . . . <sup>F7</sup>

**Textual Amendments**

**F6** Words repealed by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [Sch. 1](#) and [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. I](#)

**F7** Words repealed by virtue of repeal by [Statue Law Revision Act 1871 \(c. 116\)](#) of s. 1 of this Act so far as it relates to those words

**Textual Amendments**

**F6** Words repealed by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [Sch. 1](#) and [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. I](#)

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**F7** Words repealed by virtue of repeal by [Statute Law Revision Act 1871 \(c. 116\)](#) of s. 1 of this Act so far as it relates to those words

†**The lords of Parliament on the part of Ireland shall have the same privileges as the lords on the part of Great Britain, and all lords spiritual of Ireland shall have rank next after the lords spiritual of the same rank of Great Britain, and shall enjoy the same privileges, (except those depending upon sitting in the House of Lords), and the temporal peers of Ireland shall have rank next after the peers of the like rank in Great Britain at the time of the union; and all peerages of Ireland and of the United Kingdom created after the union shall have rank according to creation; and all peerages of Great Britain and of Ireland shall, in all other respects, be considered as peerages of the United Kingdom, and the peers of Ireland shall enjoy the same privileges, except those depending upon sitting in the House of Lords.**

. . . <sup>F8</sup>; and that the persons holding any temporal peerages of Ireland existing at the time of the union shall, from and after the union, have rank and precedence next and immediately after all the persons holding peerages of the like orders and degrees in Great Britain subsisting at the time of the union; and that all peerages of Ireland created after the union shall have rank and precedence with the peerages of the United Kingdom so created, according to the dates of their creations; and that all peerages both of Great Britain and Ireland now subsisting or hereafter to be created shall in all other respects from the date of the union be considered as peerages of the United Kingdom; and that the peers of Ireland shall, as peers of the United Kingdom . . . <sup>F9</sup> enjoy all privileges of peers as fully as the peers of Great Britain, the right and privilege of sitting in the House of Lords and the privileges depending thereon, . . . <sup>F9</sup> only excepted.

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#### Textual Amendments

- F8** Words repealed by virtue of repeal by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#) of s. 1 of this Act so far as it ratifies those words, by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [Sch. 1](#) and [Statute Law \(Repeals\) Act 1971 \(c. 52\)](#), [Sch. Pt. I](#)
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