



Age of Majority Act (Northern Ireland) 1969

1969 CHAPTER 28

An Act to amend the law relating to the age of majority, to persons who have not attained that age and to the time when a particular age is attained; and for connected purposes. [3rd December 1969]

1 Reduction of age of majority from 21 to 18.

- (1) As from the date^{F1} on which this section comes into force a person shall attain full age on attaining the age of eighteen years instead of on attaining the age of twenty-one years; and a person shall attain full age on that date if he has then already attained the age of eighteen years but not the age of twenty-one years.
- (2) Subject to subsection (4), subsection (1) applies for the purposes of any rule of law and, in the absence of a definition or of any indication of a contrary intention, for the construction of “full age”, “infant”, “infancy”, “minor”, “minority” and similar expressions in—
 - (a) any statutory provision, whether passed or made before, on or after the date on which this section comes into force; and
 - (b) any deed, will or other instrument of whatever nature (not being a statutory provision) made on or after that date.
- (3) In the statutory provisions specified in Schedule 1, for any reference to the age of twenty-one years there shall be substituted a reference to the age of eighteen years; but the amendment by this subsection of the provisions specified in Part II of that Schedule shall be without prejudice to any power of amending or revoking those provisions.
- (4) This section does not affect the construction of any such expression as is referred to in subsection (2) in any of the statutory provisions described in Schedule 2.
- (5) Notwithstanding any rule of law, a will or codicil executed before the date on which this section comes into force shall not be treated for the purposes of this section as made on or after that date by reason only that the will or codicil is confirmed by a codicil executed on or after that date.

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Age of Majority Act (Northern Ireland) 1969. (See end of Document for details)

(6) The^{F2} Department of Finance and Personnel may by order^{F2} amend any statutory provision (not being a statutory provision described in Schedule 2), passed on or before the date on which this section comes into force, by substituting for any reference therein to the age of twenty-one years, a reference to the age of eighteen years; but^{F2} that Department shall not make any such order unless a draft of the order has been laid before and approved by resolution of the Assembly.]

^{F2}(7) The transitional provisions and savings contained in Schedule 3 shall have effect in relation to this section.

F1 SRO (NI) 1969/327

F2 SI 1999/663

2 Provisions relating to wills.

(1) In the following statutory provisions, that is to say—

Para. (a) rep. by 1994 NI 13

(b) sections 1 and 3(1) of the Wills (Soldiers and Sailors) Act 1918 (validity of testamentary dispositions by soldiers etc., under 21);

in their application to wills made after the coming into force of this section, for the words “twenty-one years” there shall be substituted the words “eighteen years” .

(2) Any will which—

(a) has been made, whether before or after the coming into force of this section, by a person under the age of eighteen years; and

(b) is valid by virtue of section 11 of the said Act of 1837, and the said Act of 1918,

may be revoked by that person notwithstanding that he is still under the age of eighteen years whether or not the circumstances are then such that he would be entitled to make a valid will under those provisions.

(3) In this section “will” has the same meaning as in the said Act of 1837.

S.3 rep. by 1978 NI 15; 1979 NI 8

4 Consent by persons over 16 to surgical, medical and dental treatment.

(1) The consent of a minor who has attained the age of sixteen years to any surgical, medical or dental treatment which, in the absence of consent, would constitute a trespass to his person, shall be as effective as it would be if he were of full age; and where a minor has by virtue of this section given an effective consent to any treatment it shall not be necessary to obtain any consent for it from his parent or guardian.

(2) In this section “surgical, medical or dental treatment” includes any procedure undertaken for the purposes of diagnosis, and this section applies to any procedure (including, in particular, the administration of an anaesthetic) which is ancillary to any treatment as it applies to that treatment.

(3) Nothing in this section shall be construed as making ineffective any consent which would have been effective if this section had not been enacted.

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5 Time at which a person attains a particular age.

- (1) The time at which a person attains a particular age expressed in years shall be the commencement of the relevant anniversary of the date of his birth.
- (2) This section applies only where the relevant anniversary falls on a date after that on which this section comes into force, and, in relation to any statutory provision, deed, will, or other instrument, has effect subject to any provision therein.

S.6 repeals 1855 c.43; 1860 c.83; s.6(pt.) of 1875 c.90; s.2(3) of 1907 c.18

7 Persons under full age may be described as minors.

A person who is not of full age may be described as a minor instead of as an infant, and accordingly in this Act “minor” means such a person as aforesaid.

8 Meaning of “statutory provision” in this Act.

In this Act, the expression “statutory provision” has the same meaning as in section 1(f) of the Interpretation Act (Northern Ireland) 1954 .

9 Short title and commencement.

This Act may be cited as the Age of Majority Act (Northern Ireland) 1969 ...
Commencement ...

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SCHEDULES

Schedule 1—Amendments

SCHEDULE 2

Section 1(4).

STATUTORY PROVISIONS UNAFFECTED BY SECTION 1

- 1 The Regency Acts 1937 to 1953.
- 2 ^{F3}... section 7 of the Parliamentary Elections Act 1695 .

F3 1993 c.50

Para. 3. rep. by 1993 c.50

- 4 Section 18 of the Coroners Act (Northern Ireland) 1959 and any regulations, rules or other instruments made thereunder.

SCHEDULE 3

TRANSITIONAL PROVISIONS

INTERPRETATION

- 1 (1) In this Schedule “the commencement date” means the date on which section 1 comes into force.
- (2) Section 1(5) shall apply for the purposes of this Schedule as it applies for the purposes of that section.

FUNDS IN COURT

- 2 Any order or directions in force immediately before the commencement date by virtue of any rules of court or other statutory provision (including in particular, section 99^{F4} of the County Courts Act (Northern Ireland) 1959) relating to the control of money in any way recovered or awarded or adjudged, ordered or agreed to be payable in respect of the claims of an infant, shall have effect as if any reference therein to the infant's attaining the age of twenty-one years were a reference to his attaining the age of eighteen years or, in relation to a person who by virtue of section 1 attains full age on the commencement date, to that date.

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F4 1980 NI 3

WARDSHIP AND CUSTODY ORDERS

- 3 (1) Any order in force immediately before the commencement date—
- (a) making a person a ward of court; or
 - (b) otherwise providing for the custody of, or access to, any person,
- which is expressed to continue in force until the person who is the subject of the order attains the age of twenty-one years, or any age between eighteen and twenty-one years, shall have effect as if the reference to his attaining that age were a reference to his attaining the age of eighteen years or, in relation to a person who by virtue of section 1 attains full age on the commencement date, to that date.
- (2) This paragraph is without prejudice to so much of any order as makes provision for the maintenance or education of a person after he has attained the age of eighteen years.

ADOPTION ORDERS

- 4 Section 1 of this Act shall not prevent the making of an adoption order or provisional adoption order under the Adoption Act (Northern Ireland) 1967 in respect of a person who has attained the age of eighteen years, if the application for the order was made before the commencement date, and in relation to any such case, that Act shall have effect as if section 1 of this Act had not been enacted.

POWER OF TRUSTEES TO APPLY INCOME FOR MAINTENANCE OF MINOR

- 5 (1) Section 1 of this Act shall not affect section 32 of the Trustee Act (Northern Ireland) 1958 in its application to any interest under an instrument made before the commencement date.
- (2) In any case in which (whether by virtue of this paragraph or paragraph 9 of this Schedule) trustees have power under subsection (1)(a) of the said section 32 to pay income to the parent or guardian of any person who has attained the age of eighteen years, or to apply it for or towards the maintenance, education or benefit of any such person, they shall also have power to pay it to that person himself.

PERSONAL REPRESENTATIVES' POWERS DURING MINORITY OF BENEFICIARY

- 6 In the case of a beneficiary whose interest arises under a will or codicil made before the commencement date or on the death before that date of an intestate, section 1 of this Act shall not affect the meaning of “infant” in section 38 of the Administration of Estates Act (Northern Ireland) 1955 and the words “twenty-one” in subsection (5) of the said section 38 shall have effect as if that section had not been included in Schedule 1 to this Act.

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ACCUMULATION PERIODS

- 7 The change, by virtue of section 1 of this Act, in the construction of section 1 of the Accumulations Act 1892 (which lays down the permissible period for the accumulation of income for the purchase of land under settlements and other dispositions) shall not invalidate any direction for accumulation in a settlement or other disposition made by a deed, will or other instrument which was made before the commencement date.

LIMITATION OF ACTIONS

- 8 The change, by virtue of section 1 of this Act, in the construction of section 49(1) of the Statute of Limitations (Northern Ireland) 1958 (limitation in case of a person under disability) shall not affect the time for bringing proceedings in respect of a cause of action which arose before the commencement date.

STATUTORY PROVISIONS INCORPORATED IN DEEDS, WILLS, ETC.

- 9 Section 1 of this Act shall not affect the construction of any statutory provision where it is incorporated in and has effect as part of any deed, will or other instrument the construction of which is not affected by that section.

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