

## SCHEDULES

### SCHEDULE 17

Article 15(1)

Enactments under which functions of Lord Chancellor are transferred to the Department of Justice

#### *Acts of the Parliament of the United Kingdom*

1. Maintenance Orders (Facilities for Enforcement) Act 1920(1) so far as relating to Northern Ireland.
2. Arbitration (International Investment Disputes) Act 1966(2) so far as relating to Northern Ireland.
3. Paragraph 13 of Schedule 3 to the Misuse of Drugs Act 1971(3) so far as relating to Northern Ireland.
4. Maintenance Orders (Reciprocal Enforcement) Act 1972(4) so far as relating to Northern Ireland, except section 49(2).
5. Litigants in Person (Costs and Expenses) Act 1975(5) so far as relating to Northern Ireland.
6. The following provisions of the Judicature (Northern Ireland) Act 1978(6)—
  - (a) section 7(4)(7), so far as relating to the payment (but not the determination) of remuneration and allowances;
  - (b) sections 47(5)(8) and 53(1)(f) and (2)(9);
  - (c) section 53A(10), except so far as relating to the functions of the Lord Chancellor in relation to Crown Court rules which deal (or would deal) with an excepted matter;
  - (d) section 54(1)(c), (5)(11) and (6);
  - (e) section 55A(12), except so far as relating to the functions of the Lord Chancellor in relation to rules which deal (or would deal) with an excepted matter;
  - (f) sections 56(4)(13), 68(3), (5) and (6) and 68A(14);

---

(1) 1920 c. 33. Functions under the Act were transferred to the Lord Chancellor by S.I. 1992/709. Section 11 (application to Ireland) was amended by the Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56), Schedule 1, Part 1, paragraph 5; S.I. 1993/1576 (N.I. 6); S.I. 1995/755 (N.I. 2).

(2) 1966 c.41. Section 3 was substituted by the Arbitration Act 1996 (c. 23).

(3) 1971 c. 38.

(4) 1972 c. 18. Functions of the Secretary of State under the Act, except in relation to Scotland, were transferred to the Lord Chancellor by S.I. 1992/709. Relevant amendments were made by the Maintenance Orders (Reciprocal Enforcement) Act 1992 (c.56).

(5) 1975 c. 47.

(6) 1978 c. 23.

(7) Section 7(4) was amended by S.I. 1981/1670; the Constitutional Reform Act 2005 (c.4), section 145 and Schedule 17, paragraph 21.

(8) Section 47(5) was amended by the Constitutional Reform Act 2005 (c.4), section 15(2) and Schedule 5, paragraphs 22 and 24.

(9) Section 53(2) was amended by section 17(2) of the Justice (Northern Ireland) Act 2002 (c.26).

(10) Sections 53A was inserted by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22, 28.

(11) Section 54(5) was amended by section 17(3) of the Justice (Northern Ireland) Act 2002 (c. 26).

(12) Section 55A was inserted by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22, 30.

(13) Section 56(4) was amended by S.I. 1979/1573.

(14) Section 68A was inserted by section 10 of the Constitutional Reform Act 2005 (c. 4).

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

- (g) section 74(5)(15), so far as relating to the payment (but not the determination) of remuneration and allowances;
  - (h) sections 75(1), (7) and (9)(16), 77(1)(17), 79(1)(18), 81(a)(iv)(19), 82(1), 85(20), 102(2), 103(6), (7) and (9)(21) and 116(1) and (2);
  - (i) section 117A(22), so far as relating to the payment (but not the determination) of allowances;
  - (j) paragraph 9 of Schedule 6(23).
7. Criminal Appeal (Northern Ireland) Act 1980(24).
  8. Civil Jurisdiction and Judgments Act 1982(25) so far as relating to Northern Ireland.
  9. Section 25(3)(c) of the Administration of Justice Act 1982(26).
  10. Section 4F(3)(c) of the Repatriation of Prisoners Act 1984(27).
  11. Multilateral Investment Guarantee Agency Act 1988(28) so far as relating to Northern Ireland.
  12. Social Security Administration (Northern Ireland) Act 1992(29), except functions transferred by virtue of paragraph 24 of Schedule 4 to the Northern Ireland Act 2009(30).
  13. Arbitration Act 1996(31) so far as relating to Northern Ireland.
  14. Defamation Act 1996(32) so far as relating to Northern Ireland.
  15. Damages Act 1996(33) so far as relating to Northern Ireland.
  16. Paragraph 39(6) of Schedule 10 to the Northern Ireland Act 1998(34).

- 
- (15) Section 74 was amended by S.I. 1981/1670; the Northern Ireland Act 2009 (c. 3), section 2 and Schedule 4, paragraph 16.
  - (16) Section 75 was substituted by S.R. 1982/300; subsection (1) was substituted, and subsections (6) to (9) were inserted, by section 103 of the Courts Act 2003 (c. 39). There are other amendments to section 75 in the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22 and 35.
  - (17) Section 77(1) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
  - (18) Section 79(1) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
  - (19) Section 81 was amended by S.I. 1980/397; the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 7; the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
  - (20) Section 85 was amended by the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 9; and the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 6.
  - (21) Section 103 was amended by the Constitutional Reform Act 2005 (c. 4), section 15(2), Schedule 5, paragraphs 22 and 36.
  - (22) Section 117A was inserted by the Administration of Justice Act 1982 (c. 53), section 70 and Schedule 8, paragraph 12.
  - (23) Paragraph 9 of Schedule 6 was amended by the Constitutional Reform Act 2005 (c. 4), section 15(2) and Schedule 5, paragraphs 22 and 40.
  - (24) 1980 c. 47. Functions under the Act were transferred to the Lord Chancellor, and relevant amendments were made to the Act, by S.I. 1982/159. Other relevant amendments were made by the Criminal Justice and Public Order Act 1994 (c. 33), section 53; the Criminal Justice Act 2003 (c. 44) Schedule 36, Part VI, paragraphs 91 and 93; and the Constitutional Reform Act 2005 (c. 4) Schedule 9, paragraph 33.
  - (25) 1982 c. 27. Functions under section 5 of the Act were transferred to the Lord Chancellor, and section 5 was amended, by S.I. 1992/709. Section 5A was inserted by S.I. 2009/3131. There are other amendments to the Act, but none are relevant.
  - (26) 1982 c. 53. Section 25(3)(c) was amended by the Constitutional Reform Act 2005 (c. 4), section 59 and Schedule 11, paragraph 27.
  - (27) 1984 c. 47. Section 4F was inserted by section 95 of the Criminal Justice and Immigration Act 2008 (c. 4).
  - (28) 1988 c. 8. Relevant amendments were made by the Arbitration Act 1996 (c. 23), section 107 and Schedule 3, paragraph 49 and Schedule 4.
  - (29) 1992 c. 8. Relevant amendments were made by S.I. 1998/1506 (N.I. 10), Article 59; S.I. 1999/671, Article 4 and Schedule 3, paragraph 50(4) and Article 5 and Schedule 4, paragraph 8; the Tax Credits Act 2002 (c. 21), Schedule 4, paragraph 11; the Northern Ireland Act 2009 (c. 3), Schedule 4, paragraph 24.
  - (30) 2009 c. 3.
  - (31) 1996 c. 23; Relevant amendments were made by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 250. There are other amendments to the Act, but none are relevant.
  - (32) 1996 c. 31. Relevant amendments were made by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 255.
  - (33) 1996 c. 48. Relevant amendments were made by S.I. 1999/1820; the Courts Act 2003 (c.39), section 100; S.I. 2005/1452 (N.I. 7).
  - (34) 1998 c. 47.

17. Sections 2(2), 9A(2), 10(4) and 12(1B)(c) of, and paragraphs 1(2), 5, 6, 7, 10(3), 11, 13, 14 and 15 of Schedule 3A and paragraphs 4 and 5 of Schedule 4 to, the Justice (Northern Ireland) Act 2002(35).

18. Section 221(3)(b) of the Proceeds of Crime Act 2002(36).

19. The following provisions of the Courts Act 2003(37)—

(a) section 102;

(b) section 109, so far as relating to Northern Ireland.

20. Schedule 3 to the Justice (Northern Ireland) Act 2004(38).

21. The following provisions of the Civil Partnership Act 2004(39)—

(a) section 188;

(b) Schedules 15 to 17.

22. Paragraphs 9(1), 12(1) and 14(2) and (3) of Schedule 1 to the Forced Marriage (Civil Protection) Act 2007(40).

23. Sections 132(1) and 163(1) of the Banking Act 2009(41) so far as relating to Northern Ireland.

#### *Acts of the Parliament of Northern Ireland*

24. Administration of Justice Act (Northern Ireland) 1954(42).

25. Coroners Act (Northern Ireland) 1959(43), except for sections 2(1) and 36.

26. Costs in Criminal Cases Act (Northern Ireland) 1968(44).

27. Children and Young Persons Act (Northern Ireland) 1968(45).

#### *Orders in Council*

28. Family Law Reform (Northern Ireland) Order 1977(46).

---

(35) 2002 c.26. Relevant amendments were made by the Justice (Northern Ireland) Act 2004 (c.4), section 1 and Schedule 1, paragraph 1; and by the Constitutional Reform Act 2005 (c. 4), sections 11, 15 and 124 and Schedule 5, paragraphs 115(1), 118 and 124 and Schedule 15.

(36) 2002 c. 29.

(37) 2003 c. 39. Section 102 was amended by the Constitutional Reform Act 2005 (c. 4), sections 15 and 59, Schedule 4, paragraph 346 and Schedule 11, paragraph 6; section 47 of the Justice and Security (Northern Ireland) Act 2007 (c. 6). Section 109 was amended by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 349.

(38) 2004 c. 4.

(39) 2004 c. 33. Section 188(4A) was inserted by S.I. 2006/1016; Schedule 1, paragraph 22. Relevant amendments are made to Schedule 15 by the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13) (N.I.), Schedule 5. Relevant amendments are made to Schedule 16 by S.I. 2006/1945 (N.I. 14) and S.I. 2006/1016, Schedule 1, paragraph 24.

(40) 2007 c. 20.

(41) 2009 c. 1.

(42) 1954 c. 9 (N.I.). Relevant amendments were made by S.I. 1973/2163.

(43) 1959 c. 15 (N.I.). Functions under section 2 were transferred to the Lord Chancellor by S.I. 1973/2163. Relevant amendments were made by the Judicature (Northern Ireland) Act 1978 (c. 23), section 122 and Schedule 5; the Access to Justice Act 1999 (c. 22), section 104(2); the Justice (Northern Ireland) Act 2002 (c. 26), section 5 and Schedule 3, paragraphs 11-15; the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 5, paragraphs 2-6; and the Northern Ireland Act 2009 (c. 3), section 2(3) and Schedule 4.

(44) 1968 c. 10 (N.I.).

(45) 1968 c. 34 (N.I.); Relevant amendments were made by the Judicature (Northern Ireland) Act 1978 (c. 23), Schedule 5; the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 5. Functions under the Act were transferred by S.I. 1973/2163.

(46) S.I. 1977/1250 (N.I. 17). Relevant amendments are made by the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4) (N.I.), section 65; the Family Law Act (Northern Ireland) 2001 (c. 12) (N.I.), section 3. Functions under the Order were transferred to the Lord Chancellor by S.I. 1993/1576 (N.I. 6).

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

29. Fatal Accidents (Northern Ireland) Order 1977(47).
30. Rates (Northern Ireland) Order 1977(48), except functions which are transferred by virtue of paragraph 9 of Schedule 4 to the Northern Ireland Act 2009(49).
31. Matrimonial Causes (Northern Ireland) Order 1978(50).
32. Administration of Estates (Northern Ireland) Order 1979(51).
33. County Courts (Northern Ireland) Order 1980(52), except for Article 47 so far as relating to the functions of the Lord Chancellor in relation to county court rules which deal (or would deal) with an excepted matter.
34. Domestic Proceedings (Northern Ireland) Order 1980(53).
35. Judgments Enforcement (Northern Ireland) Order 1981(54).
36. Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(55).
37. Magistrates' Courts (Northern Ireland) Order 1981(56), except for Article 13(3A) to (3D) so far as relating to the functions of the Lord Chancellor in relation to magistrates' courts rules which deal (or would deal) with an excepted matter.
38. Forfeiture (Northern Ireland) Order 1982(57).
39. Mental Health (Northern Ireland) Order 1986(58), except functions which are transferred by virtue of paragraph 20 of Schedule 4 to the Northern Ireland Act 2009(59).
40. Matrimonial and Family Proceedings (Northern Ireland) Order 1989(60).
41. Police and Criminal Evidence (Northern Ireland) Order 1989(61).
42. Child Support (Northern Ireland) Order 1991(62), except for paragraph 4 of Schedule 4 so far as relating to the determination (but not the payment) of pensions.
43. Family Law (Northern Ireland) Order 1993(63).
44. Children (Northern Ireland) Order 1995(64).

(47) S.I. 1977/1251 (N.I. 18). Relevant amendments were made by the Administration of Justice Act 1982 (c. 53), section 69 and Schedule 6, paragraph 4.

(48) S.I. 1977/2157 (N.I. 28). Relevant amendments were made by S.I. 2006/2954 (N.I. 18).

(49) 2009 c. 3.

(50) S.I. 1978/1045 (N.I. 15); Relevant amendments were made by S.I. 1995/3213 (N.I. 22); S.I. 1999/3147 (N.I. 11); the Constitutional Reform Act 2005 (c. 4), Schedule 5, paragraph 41; S.I. 2005/255 (N.I. 1). There are other amendments to the Order, but none are relevant. Amendments by the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13) are not yet in force.

(51) S.I. 1979/1575 (N.I. 14).

(52) S.I. 1980/397 (N.I. 3); Relevant amendments were made by the Justice (Northern Ireland) Act 2002 (c. 26), section 12 and Schedule 5, paragraphs 12-19; and the Constitutional Reform Act (c. 4), section 15 and Schedule 5, paragraphs 48-59. There are other amendments to the Order, but none are relevant.

(53) S.I. 1980/563 (N.I. 5). Functions under Article 4 were transferred to the Lord Chancellor by S.I. 1993/1576 (N.I. 6). Article 4 was amended by S.R. (N.I.) 1989 No. 323; the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 5, paragraph 60.

(54) S.I. 1981/226 (N.I. 6); Relevant amendments were made by S.I. 1983/1904 (N.I. 22) and S.I. 1986/1166 (N.I. 11). There are other amendments to the Order, but none are relevant.

(55) S.I. 1981/228 (N.I. 8). Relevant amendments were made by section 40 of the Civil Jurisdiction and Judgments Act 1982 (c. 27); S.I. 1982/159; S.R. (N.I.) 1988 No. 417.

(56) S.I. 1981/1675 (N.I. 26). Relevant amendments were made by S.I. 1993/1576 (N.I. 6); section 98(2) of the Access to Justice Act 1999 (c. 22); the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 5, paragraphs 62 and 65.

(57) S.I. 1982/1082 (N.I. 4).

(58) S.I. 1986/595 (N.I. 4).

(59) 2009 c. 3.

(60) S.I. 1989/677 (N.I. 4). Relevant amendments were made by S.I. 1999/3147 (N.I. 11).

(61) S.I. 1989/1341 (N.I. 12).

(62) S.I. 1991/2628 (N.I. 23).

(63) S.I. 1993/1576 (N.I. 6).

(64) S.I. 1995/755 (N.I. 2).

45. Juries (Northern Ireland) Order 1996(65).
46. Road Traffic Offenders (Northern Ireland) Order 1996(66).
47. Family Homes and Domestic Violence (Northern Ireland) Order 1998(67).
48. Road Traffic (New Drivers) (Northern Ireland) Order 1998(68).
49. Social Security (Northern Ireland) Order 1998(69), except functions which are transferred by virtue of paragraphs 29 to 31 of Schedule 4 to the Northern Ireland Act 2009(70).
50. Fair Employment and Treatment (Northern Ireland) Order 1998(71), except functions which are transferred by virtue of paragraph 32 of Schedule 4 to the Northern Ireland Act 2009(72).
51. Criminal Evidence (Northern Ireland) Order 1999(73).
52. Insolvency (Northern Ireland) Order 2002(74).
53. Access to Justice (Northern Ireland) Order 2003(75), except for paragraph 17 of Schedule 1.
54. Insolvency (Northern Ireland) Order 2005(76).
55. Traffic Management (Northern Ireland) Order 2005(77), except functions which are transferred by virtue of paragraph 42 of Schedule 4 to the Northern Ireland Act 2009(78).
56. Article 61(6) of the Criminal Justice (Northern Ireland) Order 2008(79).

*Acts of the Northern Ireland Assembly*

57. Paragraph 20 of Schedule 7 to the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(80).
58. The following provisions of the Charities Act (Northern Ireland) 2008(81)—
  - (a) section 13;
  - (b) paragraph 6 of Schedule 2.

---

(65) S.I. 1996/1141 (N.I. 6).  
(66) S.I. 1996/1320 (N.I. 10).  
(67) S.I. 1998/1071 (N.I. 6).  
(68) S.I. 1998/1074 (N.I. 7).  
(69) S.I. 1998/1506 (N.I. 10).  
(70) 2009 c. 3.  
(71) S.I. 1998/3162 (N.I. 21).  
(72) 2009 c. 3.  
(73) S.I. 1999/2789 (N.I. 8).  
(74) S.I. 2002/3152 (N.I. 6).  
(75) S.I. 2003/435 (N.I. 10).  
(76) S.I. 2005/1455 (N.I. 10).  
(77) S.I. 2005/1964 (N.I. 14).  
(78) 2009 c. 3.  
(79) S.I. 2008/1216 (N.I. 1).  
(80) 2000 c. 4 (N.I.).  
(81) 2008 c. 12 (N.I.).