



2009 CHAPTER 6

Supplementary

Orders and regulations

16.—(1) Subject to subsection (2) and paragraph 7(2) of Schedule 1, orders and regulations made under this Act (except an order made under section 20(2)) shall be subject to negative resolution.

(2) Any order made—

(a) under section 18(1) or (3) which amends, repeals, revokes or modifies any statutory provision; or

(b) under section 13,

shall be subject to affirmative resolution.

Interpretation

17 In this Act—

“the Department” means the Department of Finance and Personnel;

“insurer” means any person who provides for the payment of benefits on the death of any person.

“missing person” has the meaning assigned by section 1(1);

“prescribed”, except in section 8 and [F¹paragraphs 3A(1) and (2) and] 7(1) and (3) of Schedule 1, means prescribed by regulations made by the Department;

“the Registrar General” means the Registrar General for Northern Ireland;

“the Register of Presumed Deaths” means the register maintained under section 15(1);

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“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33);

“trust” means any trust which arises—

- (a) as a result of a declaration under section 1; or
- (b) in relation to the administration or devolution of the property of a missing person as a result of a declaration under section 1;

“trustee” means a trustee, executor, administrator or any other person administering trust property;

“variation order” has the meaning assigned to it by section 5(3).

Textual Amendments

- F1 Words in s. 17 substituted (16.11.2012) by [Civil Registration Act \(Northern Ireland\) 2011](#) (c. 20), [ss. 28\(4\), 34](#); S.R. 2012/406, art. 2, Sch.

Supplementary provision

18.—(1) The Department may by order make such transitional or transitory provisions and savings as it considers appropriate in connection with the coming into operation of any provision of this Act.

(2) Nothing in section 14(2) or (3) restricts the power under subsection (1) to make other transitional or transitory provisions and savings.

(3) The Department may by order make such supplementary, incidental or consequential provision as it considers appropriate for the purposes of, in consequence of, or for giving full effect to, any provision of this Act.

(4) An order under subsection (1) or (3) may amend, repeal, revoke or otherwise modify any statutory provision.

Amendments and repeals

19.—(1) Schedule 2 (which contains consequential amendments) has effect.

(2) The statutory provisions mentioned in the first column of Schedule 3 are repealed to the extent set out in the second column.

Commencement

20.—(1) The following provisions of this Act come into operation one month after the day on which this Act receives Royal Assent—

- (a) section 8;
- (b) section 9(1);
- (c) section 11(5);

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- (d) section 13;
- (e) section 16;
- (f) section 17;
- (g) section 18;
- (h) this section; and
- (i) section 21.

(2) The other provisions of this Act come into operation on such day or days as the Department may by order appoint.

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Subordinate Legislation Made

P1 [S. 20\(2\)](#) power fully exercised: 9.11.2009 appointed by [S.R. 2009/356, art. 2](#)

Short title

21 This Act may be cited as the Presumption of Death Act (Northern Ireland) 2009.

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