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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 133**

**The Northern Ireland Court Service (Abolition and Transfer of Functions) Order (Northern Ireland) 2010**

**Citation and commencement**

1. This Order may be cited as the Northern Ireland Court Service (Abolition and Transfer of Functions) Order (Northern Ireland) 2010 and shall come into operation on 12th April 2010.

**Abolition of the Court Service**

2. The Court Service is abolished.

**Transfer of functions**

3. The functions of the Court Service are transferred to the Department of Justice<sup>(1)</sup>.

**Consequential amendments**

4. The amendments detailed in the Schedule shall have effect.

**Transitional provision**

5. This Order does not affect the validity of anything done before the coming into operation of this Order.

6.—(1) Paragraphs (2) to (4) apply in relation to a function transferred by this Order.

(2) Anything (including legal proceedings) which, at the coming into operation of this Order, is in the process of being done by or in relation to the Court Service may, so far as it relates to the function, be continued by or in relation to the Department of Justice.

(3) Anything done (or having effect as if done) by or in relation to the Court Service for the purposes of or in connection with the function shall have effect as if done by or in relation to the Department of Justice so far as necessary or expedient for continuing its effect after the coming into operation of this Order.

(4) Documents or forms printed for use in connection with the function may be used in connection with the function even though they contain, or are to be construed as containing, references to the Court Service; and for the purposes of the use of any such documents or forms after the coming into operation of this Order, those references are to be read as references to the Department of Justice.

(5) A complaint made under section 9D of the Justice (Northern Ireland) Act 2002<sup>(2)</sup> in relation to the Court Service, whether made before or after the coming into operation of this Order, may be investigated by the Northern Ireland Judicial Appointments Ombudsman notwithstanding the abolition of the Court Service.

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(1) The Department of Justice was established by the Department of Justice Act 2010 c.3 (N.I.).

(2) Section 9D was inserted by section 127 of the Constitutional Reform Act 2005 c.4.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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7.—(1) Any enactment or instrument passed or made before the coming into operation of this Order shall have effect, so far as necessary or expedient in consequence of or for giving full effect to—

- (a) the transfer of a function under this Order, or
- (b) Article 5 or 6,

as if any references (including references which are to be construed as such references) to the Court Service were or included references to the Department of Justice.

(2) In this Article “instrument” includes (in particular) Royal Charters, Orders in Council, Letters Patent, judgments, decrees, orders, rules, regulations, schemes, bye-laws, awards, licences, codes, guidance, authorisations, consents, approvals, contracts and other agreements, memoranda and articles of association, warrants, certificates, deeds and other documents.

Dated 28th March 2010

*Jack Straw*  
Lord Chancellor