



Administration of Justice Act 1973

1973 CHAPTER 15

PART II

MISCELLANEOUS

18 Payment of interpreters in criminal cases (Northern Ireland).

- (1) In the Costs in Criminal Cases Act (Northern Ireland) 1968, after section 5 thereof, there shall be inserted the following section—

“5A Fees of required interpreter.

Notwithstanding anything to the contrary contained in this Act, where in any criminal proceedings an interpreter is required because of a defendant’s lack of English, the expenses properly incurred on his employment shall, in accordance with rules made pursuant to section 7, be defrayed by the Ministry.”

- (2) Where in any of the following proceedings, that is to say,—

- (a)^{F1}
- (b) any proceedings before . . . ^{F2} the High Court of Justice in Northern Ireland in a criminal cause or matter;
- (c) any proceedings on an appeal to [^{F3}the [^{F4}Court of Judicature]] from a decision in proceedings within . . . ^{F5} (b) above or an application for leave to appeal from such a decision;

an interpreter is required because of a defendant’s lack of English, the expenses properly incurred on his employment shall be defrayed by the [^{F6}Department of Justice], up to an amount allowed by [^{F7}the High Court] or (in the case of proceedings in [^{F3}the [^{F4}Court of Judicature]]) by [^{F3}the [^{F4}Court of Judicature]].

In this subsection “defendant” means the person (whether convicted or not) who is alleged to be guilty of an offence.

- (3)^{F8}

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1973, Section 18. (See end of Document for details)

Textual Amendments

- F1** S. 18(2)(a) repealed by Criminal Appeal (Northern Ireland) Act 1980 (c. 47, SIF 38), s. 51(2), **Sch. 5**
- F2** Words repealed by Judicature (Northern Ireland) Act 1978 (c. 23), s. 123(2), **Sch. 7 Pt. I**
- F3** Words in s. 18(2) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 40, 148, **Sch. 9 para. 25**; S.I. 2009/1604, **art. 2(d)**
- F4** S. 18: words substituted (1.10.2009) in each place in Act by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 6**; S.I. 2009/1604, **art. 2(d)**
- F5** Words repealed by Criminal Appeal (Northern Ireland) Act 1980 (c. 47, SIF 38), s. 51(2), **Sch. 5**
- F6** Words in s. 18(2) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. para. 12(2)**
- F7** Words in s. 18(2) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 40, 148, **Sch. 9 para. 25**; S.I. 2009/1604, **art. 2(d)**
- F8** S. 18(3) repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

Modifications etc. (not altering text)

- C1** The text of ss. 7(2), 14(1), 18(1) and Sch. 2 Pt. II and part of s. 1(9) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified does not reflect any amendments or repeals made prior to 1.2.1991.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1973, Section 18.