

SCHEDULES

SCHEDULE 5

Section 122(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

GENERAL AMENDMENTS

- 1 (1) Except where the contrary is expressly provided by or under this Act, references in any statutory provision to, or which are by virtue of any statutory provision heretofore in force to be construed as references to, the Supreme Court of Judicature of Northern Ireland, the High Court of Justice in Northern Ireland or the Court of Appeal in Northern Ireland or to divisions, judges, offices or officers of any such court, shall be construed, respectively, as references to the Supreme Court exclusive of the Crown Court, the High Court or the Court of Appeal as constituted under this Act and to the divisions, judges, offices or officers of those courts by which or by whom any jurisdiction or business to which the reference relates is for the time being to be exercised or transacted, whether by virtue of this Act or of any other statutory provision.
- (2) The reference in sub-paragraph (1) to business to be transacted includes a reference to any matter requiring the concurrence, approval, advice or consent of a judge or of more than one judge of the Supreme Court, the High Court or the Court of Appeal.
- 2 (1) In any statutory provision whether passed or made before, on or after the coming into operation of Part IV of this Act, for any reference or expression in the first column of the Table below there shall, in relation to Northern Ireland, be substituted the relevant reference or expression in the second column of the Table.
- (2) Sub-paragraph (1) shall not apply where the context otherwise requires and in particular shall not apply in relation to a sentence imposed, or other things done, by a court before the coming into operation of Part IV of this Act or to any reference to records of any court.

TABLE

<i>Reference</i>	<i>Substituted reference</i>
1. Court of gaol delivery or of oyer and terminer.	The Crown Court.
2. Court of assize, or assizes, where the context does not relate to civil jurisdiction.	The Crown Court.

Status: This is the original version (as it was originally enacted).

<i>Reference</i>	<i>Substituted reference</i>
3. Court of assize, or assizes, where the context relates either to criminal or civil jurisdiction.	The Crown Court or the High Court or, as the case may be, the High Court and not the Crown Court.
4. The county court where the context relates to the jurisdiction of that court to try persons on indictment.	The Crown Court.
5. Judge, justice or commissioner of assize, or judge acting during assizes.	The Crown Court or the High Court or both, according as the reference is to criminal jurisdiction or civil jurisdiction or to both.
6. County court judge or recorder where the context relates to the jurisdiction of the county court to try persons on indictment.	The Crown Court.
7. Clerk of the Crown and peace where the context relates to the jurisdiction of the county court to try persons on indictment or to the criminal jurisdiction of courts of assize.	The appropriate officer of the Crown Court.
8. Other officer in the county court service for Northern Ireland whose duties related exclusively to the criminal jurisdiction of courts of assize.	The appropriate officer of the Crown Court.
9. Clerk of the court where the court is the Crown Court.	The appropriate officer of the Crown Court.
3	References in any statutory provision to rules made under section 7 of the Northern Ireland Act 1962 or which are by virtue of any statutory provision heretofore in force to be construed as references to such rules shall be construed as references to rules of court made under section 55 of this Act.
4	Paragraphs 1 to 3 apply subject to the provisions of this Act and, in particular, do not prejudice the operation of any specific amendments contained in this Schedule.

PART II

SPECIFIC AMENDMENTS

(1) ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM

The Crown Debts Act 1801

In section 5 for the words from " into the Bank of Ireland " to the end substitute the words " into the Supreme Court in Northern Ireland ".

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

The Writ of Subpoena Act 1805

In sections 3 and 4 references to a writ of subpoena requiring the appearance of a person to give evidence shall be construed as including references to any summons or order issued by the Crown Court in Northern Ireland for the appearance of a person before it

The Tumultuous Risings (Ireland) Act 1831

In section 9 for the words from " the judge, assistant barrister " to " court as aforesaid " substitute the words " any judge of the Crown Court " and for the words from "clerk of the crown, clerk of the peace" to " them forthwith" substitute the words " appropriate officer of that court ".

The Constabulary (Ireland) Act 1836

In section 16 for die words "at any assizes or sessions of the peace " substitute the words " by any court of justice in Northern Ireland ".

The Parliamentary Documents Deposit Act 1837

For any reference to the clerk of the peace there shall, as respects Northern Ireland, be substituted a reference to the clerk of the district council.

The Slave Trade Act 1843

In section 4(1), as it applies to Northern Ireland, for the words " Her Majesty's said court" and " Her Majesty in her Court of Queen's Bench (in manner set forth and prescribed in the East India Company Act 1772) " substitute the words " the Crown Court ".

The Lands Clauses Consolidation Act 1845

At the end of section 3 add the following definition—

“ Supreme Court ' shall mean the Supreme Court of Judicature of Northern Ireland where the same shall relate to monies to be paid or deposited in respect of lands situate in Northern Ireland.”.

Section 9 shall, in the case of purchase money or compensation for, or compensation for damage or injury to, lands in Northern Ireland, have effect with the insertion after the words " deposited in the Bank ". of the words " or the Supreme Court ".

Section 69 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in Northern Ireland, have effect with the substitution for the words from " be paid into the Bank " to " the said courts " of the words " be paid into the Supreme Court ".

Section 70 shall, in the case of money paid into the Supreme Court, have effect with the substitution for the words from " and until the money " to " annual proceeds thereof paid " of the words " and if, before it is so applied, it is dealt with under section 81 or 82 of the Judicature (Northern Ireland) Act 1978, the annual proceeds thereof shall be paid ".

Section 71 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in Northern Ireland, have effect with the substitution for the words " into the Bank " where they twice occur of the words " into the Supreme Court ".

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

Section 73 shall, in the case of money payable in respect of the taking, using or interfering with lands in Northern Ireland, have effect with the substitution for the words " into the Bank " where they twice occur of the words " into the Supreme Court " .

Section 76 shall, in the case of, or of an interest in, lands in Northern Ireland that have, or has, been purchased or taken, have effect with the substitution for the words from " to deposit the purchase money " to the end of the words " to pay into the Supreme Court the purchase money or compensation payable in respect of such lands " .

Section 78 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, lands in Northern Ireland, have effect as if, after the word " so " (in both places where it occurs) there were inserted the words " paid or " and as if for the words from " order such money " to " thereof " (where it last occurs) there were substituted the words " order distribution of the money according to the respective estates, titles or interests of the parties making claim to such money or lands, or any part thereof, and if, before the money is distributed, it is dealt with under section 81 or 82 of the Judicature (Northern Ireland) Act 1978 payment likewise of the dividends thereof " .

Section 84 shall, in the case of lands in Northern Ireland, have effect with the substitution for the words " deposited in the Bank " of the words " paid into the Supreme Court " .

Section 85 shall, in the case of lands in Northern Ireland have effect as if for the words " to deposit in the Bank " , the words " so to be deposited " , the words " for deposit in the Bank " , the words " deposited in the Bank " and the words " such deposit " there were respectively substituted the words " to pay into the Supreme Court " , the words " so to be paid " , the words " for payment into the Supreme Court " , the words " paid into the Supreme Court " and the words " such payment " .

The Act shall, in its application to Northern Ireland, have effect with the substitution for sections 86, 87 and 88 of the following section:—

“86 Application of Funds in Court.

Money paid under section 85 of this Act into the Supreme Court shall remain there by way of security to the parties whose lands shall so have been entered upon for the performance of the condition of the bond to be given by the promoters of the undertaking, as hereinbefore mentioned, and, if dealt with under section 81 or 82 of the Judicature (Northern Ireland) Act 1978 shall be accumulated; and upon the condition of such bond being fully performed the High Court may, on the application of the promoters, order it, or the proceeds of the securities in which it has been invested, together with the accumulation thereof, to be paid to the promoters of the undertaking, or if such condition shall not be fully performed it shall be lawful for the said Court to order the same to be applied, in such manner as it shall think fit, for the benefit of the parties for whose security the same shall have been paid”.

Section 89 shall, in the case of lands in Northern Ireland, have effect as if for the words " deposited the same in the Bank " there were substituted the words " paid the same into the Supreme Court " .

Section 99 shall, in the case of lands in Northern Ireland, have effect with the substitution for the words " and upon payment or deposit in the Bank of the compensation so determined " of the words " and upon payment of the compensation so determined either to the persons entitled thereto or into the Supreme Court " .

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

Section 100 shall, in the case of lands in Northern Ireland, have effect with the substitution for the words " on deposit thereof in the Bank " of the words " on payment thereof into the Supreme Court", with the substitution for the words " deposited as aforesaid " of the words "paid into the Supreme Court as aforesaid" and with the substitution for the words from " by payment " to the end of the words " by payment, as hereinafter provided, of compensation for the same either to the persons entitled thereto or into the Supreme Court ".

Section 107 shall, in the case of lands in Northern Ireland over which commonable or other rights subsist, have effect with the substitution for the words " deposit in the Bank in the manner provided in the like case " of the words " payment into the Supreme Court " with the omission of the words " or deposited " and with the substitution for the words " so deposited " of the words "so paid into the Supreme Court ".

Section 109 shall, in the case of lands in Northern Ireland subject to a mortgage, have effect with the substitution for the words " to deposit in the bank, in the manner provided by this Act in like cases " of the words " to pay into the Supreme Court ".

Section 111 shall, in the case of lands in Northern Ireland subject to a mortgage, have effect with the substitution for the words from " to deposit " to " every such payment or deposit" of the words " to pay into the Supreme Court the amount of such value or compensation ; and the making of payment to the mortgagee or into the Supreme Court" and for the words " by such payment or deposit" of the words " by payment to the mortgagee or into the Supreme Court ".

Section 113 shall, in the case of lands in Northern Ireland subject to a mortgage, have effect with the substitution for the words from " to pay the amount " to " such payment or deposit" of the words " to pay into the Supreme Court the amount of such value or compensation ; and the making of payment to the mortgagee or into the Supreme Court ".

Section 117 shall, in the case of lands in Northern Ireland charged with payments or incumbrances not otherwise provided for in the Act, have effect with the substitution for the words from " to deposit " to " like cases ", of the words " to pay into the Supreme Court the amount of the compensation ".

In Schedule A as it applies to the conveyance of land, or an interest in land, in Northern Ireland, for the words from " Bank " where first occurring to " Chancery" substitute the words " the Supreme Court ".

The Indictable Offences Act 1848

In sections 12 and 14 for any reference to justices of oyer and terminer or gaol delivery in Northern Ireland, there shall be substituted a reference to the Crown Court there.

The Trustee Act 1850

The following amendments shall be made to the Act as it applies to Northern Ireland.

In section 2 for the definition of " Lord Chancellor " substitute the following definition—

“The words " the High Court " shall mean Her Majesty's High Court of Justice in Northern Ireland ;”.

Throughout the Act for any reference (however expressed) to the Lord Chancellor, intrusted by virtue of the Queen's sign manual with the care of the persons and estates of lunatics, substitute a reference to the High Court.

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

In section 41 for the words " one of the masters in ordinary of the Court of Chancery " substitute the words " the Master (Chancery) ".

In section 45 for the words " the Court of Chancery ", " the said Court of Chancery " and " the said court " substitute, in each case the words " the High Court ".

In section 48 for the words from " Bank of England " to " Accountant General " substitute the words " Supreme Court " and the words " of the Bank of England " shall be omitted.

The Railways Act (Ireland) 1851

In section 19 for the words from " into the Bank of Ireland " to " Court of Chancery in Ireland " substitute the words " into the Supreme Court of Judicature of Northern Ireland " and for the words " into the said Bank " substitute the words " into that Court ".

The Fines Act (Ireland) 1851

In section 1 for the words from " the several officers " to " the proceedings " substitute the words "as follows:—

- (a) for a magistrates' court, the clerk of petty sessions; and
- (b) for any other court, such person as may be prescribed by the rules regulating the procedure of that court, or if no person is so prescribed, the person charged with the duty of recording the proceedings of the court.”.

In section 2, in paragraph 2 for the words from " within fourteen days " to " or sittings " substitute the words " immediately after the conclusion of the sitting " and for the words " thirty days " substitute the words " fourteen days ".

In section 3, in paragraph 1 for the words " within one week from the expiration of thirty days " substitute the words " immediately upon the expiration of fourteen days ".

In section 10 for the words " several assistant barristers, recorders of cities or boroughs and ", the words " assistant barrister, recorder " and the words " assistant barrister or recorder " substitute the words " judge of the Crown Court ".

The Petty Sessions (Ireland) Act 1851

In section 30 for the reference to justices of oyer and terminer and general gaol delivery in Northern Ireland there shall be substituted a reference to the Crown Court there.

The Trustee Act 1852

In sections 6 and 7 for the words " the Lord Chancellor intrusted as aforesaid ", wherever occurring, substitute the words " the High Court of Justice in Northern Ireland ".

The Irish Bankrupt and Insolvent Act 1857

Throughout the Act for any reference to a general order by the Court substitute a reference to rules of court made under section 55 of this Act. In section 4 for the definition of " the Court " substitute—

“" the Court " shall mean the High Court of Justice in Northern Ireland;”.

In section 59 for the words " Lord Chancellor " substitute the words " Secretary of State ".

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

The Probates and Letters of Administration Act (Ireland) 1857

For any reference in sections 55, 57 or 71 to rules or orders under the Act of 1857 substitute a reference to rules of court made under section 55 of this Act.

The Landed Estates Court (Ireland) Act 1858

In section 56 for the words from " into the Bank of Ireland " to " receipt of the money " substitute the words " into the Supreme Court of Judicature of Northern Ireland (" the Supreme Court"), and " ; and the words " into the bank " shall cease to have effect.

In section 57 for the words " into the Bank of Ireland " and " into the said Bank" (wherever they occur) substitute the words " into the Supreme Court ".

In section 66 for the words " the Lord High Chancellor " and " in him " substitute respectively the words " the High Court " and " in it ".

In section 70 for the words from " transferred" to " Chancery in England " substitute the words " paid into the Supreme Court or (where the case may require) the Supreme Court of Judicature of England " ; for the words from " and the High Court" to " Rolls " substitute the words " and the High Courts of Justice"; for the words " transferred to the account of the Accountant General of" substitute the words " paid into "; and for the words from "the Act passed" to the end substitute the words " section 63 of the Trustee Act 1925 or section 63 of the Trustee Act (Northern Ireland) 1958 ".

The Railways Act (Ireland) 1860

In section 2 for the words " depositing in the Bank of Ireland as herein directed" substitute the words " paying into the Supreme Court of Judicature of Northern Ireland ".

In section 4 for the words " deposited as last aforesaid shall remain in the Bank " substitute the words " paid into the Supreme Court is ".

The Defence Act 1860

In sections 21 and 22 for the words " the Bank of Ireland" substitute the words " the Supreme Court in Northern Ireland ".

The Tramways (Ireland) Act 1860

In section 29, for paragraphs 1 and 2, substitute—

“1 Within fourteen days after the making of the Order they shall either pay into the Supreme Court a sum equal to five per centum of the estimated cost of the undertaking, or deposit in the Court, or transfer into the name of the Accountant General, Exchequer bills or other Government securities equal to that sum at the price at which such bills or securities were originally purchased by the promoters, which price shall be proved by the broker's certificate of such purchase:”.

The Matrimonial Causes and Marriage Law (Ireland) Amendment Act 1870

In section 7 for the words from "in a court of record" to the end substitute the words " in Her Majesty's High Court of Justice in Northern Ireland ".

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

In section 13 for the words from the beginning to "Court for Matrimonial Causes and Matters " substitute the words " In exercising the jurisdiction referred to in section 7 the High Court " and for the words from " and to the rules " to the end substitute the words " and to rules of court ".

The Lunacy Regulation (Ireland) Act 1871

Subject to any specific amendment made by the succeeding paragraphs, throughout the Act for any reference to the Lord Chancellor intrusted as aforesaid (except in the definition of that expression in section 2) substitute a reference to the High Court of Justice in Northern Ireland.

In section 2 for the definitions of the expressions " the Lord Chancellor ", " the Lord Chancellor intrusted as aforesaid ", " the master ", " legal visitors " and " solicitors for minors and lunatics " substitute the following definitions—

- “" the High Court " means Her Majesty's High Court of Justice in Northern Ireland ;
- " the Supreme Court " means the Supreme Court of Judicature of Northern Ireland;
- " the master " means the Master (Care and Protection) ;
- " legal visitors " and " medical visitors " mean respectively the legal visitors and the medical visitors appointed by the Lord Chief Justice under section 28 of the Judicature (Northern Ireland) Act 1978 ;
- " the Official Solicitor " means the Official Solicitor to the Supreme Court of Judicature of Northern Ireland appointed under section 75 of the Judicature (Northern Ireland) Act 1978 ;
- " rules of court " means rules made under section 55 of the Judicature (Northern Ireland) Act 1978.”

In section 6 for the words " the registrar " substitute the words " the master "; and for the words from " the Lord Chancellor" onwards substitute the words " rules of court ".

In section 8 for the words " the registrar " substitute the words " the master ".

In section 11 for the words " the office of the registrar " substitute the words " the Office of Care and Protection ".

In section 12 for the words " the solicitor for minors and lunatics " substitute the words " the Official Solicitor " ; and for the words from " in such manner " onwards substitute the words " in such manner as the High Court may order, or, if it makes no order in the matter, in such manner as may be provided by rules of court ".

In section 13 for the words " the registrar " substitute the words " the master ".

In section 17 for the words " the office of the registrar " substitute the words " the Office of Care and Protection ".

In section 22 for the words " the office of the registrar " substitute the words " the Office of Care and Protection ".

In section 28 for the words "the High Court of Chancery in Ireland " substitute the words " the High Court ".

In section 30 for the words from " into the Bank of Ireland " to " Chancery " substitute the words " into the Supreme Court " ; for the words " into the name and with the privity of the said Accountant General" substitute the words " into the Supreme Court " ; and for the words " the said Accountant General ", where secondly occurring, substitute the words " the Accountant General of the Supreme Court ".

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

In section 35 for the words from " the general orders " to " in force " substitute the words " rules of court ".

In section 38 for the words " the offices of the master or registrar " substitute the words " the Office of Care and Protection ".

In section 41 for the words from " shall be left " to " Chancery " substitute the words " shall be filed in the Office of Care and Protection; and the Accountant-General of the Supreme Court ".

In section 47 for the words from " and the Lord Chancellor " to " seem meet" substitute the words " and rules of court may provide ".

In section 48 for the words from " when drawn up " to " registrar in lunacy " (where secondly occurring) substitute the words " shall be entered by the master ".

In section 49 for the words from " the name of " to " Chancery ", where it first occurs, substitute the words " the Supreme Court ";

for the words " the said Accountant General" substitute the words " the Accountant General of the Supreme Court " ; for the words " the Court of Chancery ", where secondly occurring, substitute the words " the High Court " ; for the words " signed by the registrar " substitute the words " signed by the master " ; and for the words from "and the registrar in lunacy" to "respectively" substitute the words " and the master shall certify ".

In section 52 for the words " office of the master " substitute the words " Office of Care and Protection ".

In section 53 for the words " the registrar or other proper officer of Her Majesty's Court of Probate in Ireland " substitute the words " the Master (Probate and Matrimonial) ".

In section 55(2) for the words from " the books " to " Chancery " substitute the words " the Supreme Court ".

In section 56 for the words from " as the Lord Chancellor" onwards substitute the words " as may be provided for by rules of court or from time to time ordered by the High Court in any particular case ".

In section 59 for the words " the office of the registrar " substitute the words " the Office of Care and Protection ".

In sections 73, 88 and 99, in each case, for the words " the Court of Chancery " substitute the words " the High Court ".

In section 90 for the words " the Court of Chancery " substitute the words " the High Court " ; and for the words " the name of the Accountant General of the Court of Chancery " substitute the words " the Supreme Court ".

In section 105 for the words " the office of the registrar " substitute the words " the Office of Care and Protection, and vouch ".

In section 110 for the words from " the office of the registrar " to " separate credit" substitute the words " the Office of Care and Protection and an office copy deposited in the office for the business of the Accountant General of the Supreme Court, and the Accountant General shall thereupon transfer or cause to be transferred such sum or amount of cash or stock held in the Supreme Court to the separate credit ".

In section 111 for the words "the Lord Chancellor intrusted as aforesaid shall from time to time direct" substitute the words " may be provided by rules of court ".

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

In section 114 for the words from " the Lord Chancellor shall" to " last-mentioned cases " substitute the words " may be provided by rules of court, but so that no percentage be levied or paid in the last-mentioned case ".

For section 117 substitute—

“117 Power to direct certain expenses to be borne by estates.

Rules of court may provide, or the High Court may by an order made in any particular case direct, that any remuneration for services of the medical visitors or legal visitors in connection with any lunatic, or any expenditure connected with the management of the estate of any lunatic, shall be paid out of his estate.”.

In section 118 for the words from the beginning to " seem meet substitute " Rules of court may make provision ".

After section 118 insert the following section—

“119 Remuneration of the Lord Chief Justice's Visitors.

- (1) There may be paid to the legal visitors and the medical visitors such remuneration and travelling and other allowances upon such conditions and on such scales as may be determined by the Lord Chancellor after consultation with the Lord Chief Justice and with the concurrence of the Minister for the Civil Service.
- (2) This section does not prejudice the power conferred by section 117 of this Act to provide for or direct that any such remuneration or expenditure as is mentioned in that section shall be borne by a particular estate.”.

The Juries Act (Ireland) 1871

In section 18 for the words from " a fee of one shilling" to the end substitute the words " such fee as may be prescribed by rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978 ".

In section 41 for the words " in any court of assize or nisi prius " substitute the words " in the High Court or the Crown Court ".

In section 42 for the words from " any court of assize " to " suit or action" substitute the words " the High Court or the Crown Court ".

The Bankruptcy (Ireland) Amendment Act 1872

In section 4 for the definition of " the Court " substitute—

“" The Court " shall mean the High Court of Justice in Northern Ireland ;”.

In section 57 for the words from " directed " to the end substitute the words " directed by rules of court ".

In section 124 for the words from the beginning to " may prescribe " substitute the words " Rules of court may be made under section 55 of the Judicature (Northern Ireland) Act 1978 for the effectual execution of this Act and such rules may, in particular, prescribe ".

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

The Consolidated Fund (Permanent Charges Redemption) Act 1873

In section 3, as it applies to Northern Ireland, for the words from " paid into the Court of Chancery " to " 1872 " substitute the words " paid into the Supreme Court " and for the words " the said Court" substitute the words " the High Court ".

The Fines Act (Ireland) 1851, Amendment Act 1874

In section 2 for the words " assistant barrister, recorder " substitute the words " judge of the Crown Court ".

The Explosives Act 1875

In section 66(1), as it applies to Northern Ireland, for the words " stipendiary magistrate " substitute the words " resident magistrate ".

The Appellate Jurisdiction Act 1876

In section 25 for the words " As to Ireland, the superior courts of law and equity at Dublin ; " substitute the words " As to Northern Ireland, Her Majesty's High Court of Justice in Northern Ireland and Her Majesty's Court of Appeal in Northern Ireland ".

The Settled Estates Act 1877

In section 34 for the words " the Bank of Ireland to the account of the Accountant General ex parte the applicant" substitute the words " the Supreme Court to the account of the applicant ".

The Bills of Sale (Ireland) Act 1879

In section 4 for the definition of " prescribed " substitute—

“" prescribed " means prescribed by rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978 ;”.

For section 13 substitute—

“13 As to registrar.

The Master (Queen's Bench and Appeals) or such other officer serving in the Supreme Court as the Lord Chief Justice may designate shall be the registrar for the purposes of this Act.”.

For section 19 substitute—

“19 Fees.

Section 116 of the Judicature (Northern Ireland) Act 1978 shall apply to fees under this Act and such fees may be fixed in the manner authorised by that section.”.

The Settled Land Act 1882

At the end of section 2 as it applies to Northern Ireland add—

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

“(11) Any reference in the Settled Land Acts 1882 to 1890 to money, securities or proceeds of sale being paid or transferred into court shall be construed as referring to the money, securities or proceeds being paid or transferred into the Supreme Court or any other court that has jurisdiction, and any reference in those Acts to the court in a context referring to the investment or application of money, securities or proceeds of sale paid or transferred into court, shall be construed, in the case of money, securities or proceeds paid or transferred into the Supreme Court, as referring to the High Court, and, in the case of money, securities or proceeds paid into another court, as referring to that other court.”.

The Land Law (Ireland) Act 1887

In section 34 in the definition of " prescribed " for the words from " other proceedings " to the end substitute the words " other proceedings, means prescribed by rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978 or county court rules, as the case may be ; "

The Deeds of Arrangement Act 1887

In section 15(2) for the words " the eighty-fourth section of the Supreme Court of Judicature Act (Ireland) 1877 as regards Ireland " substitute the words " , as respects Northern Ireland, section 116 of the Judicature (Northern Ireland) Act 1978 " .

The Deeds of Arrangement Amendment Act 1890

In section 2(7) for the words "the eighty-fourth section of the Supreme Court of Judicature Act (Ireland) 1877 " substitute the words " section 116 of the Judicature (Northern Ireland) Act 1978 " .

The Witnesses (Public Inquiries) Protection Act 1892

In section 3, as it applies to Northern Ireland, for the words " quarter sessions or assizes " substitute the words " Crown Court " .

The Life Insurance Companies (Payment into Court) Act 1896

In section 3, as it applies to Northern Ireland, for the words from "High Court" to "into the High Court" substitute the words " Supreme Court " .

The Town Tenants (Ireland) Act 1906

For section 11 substitute—

“11 Appeals.

Any person aggrieved by any determination of the county court under this Act may appeal to the High Court as though the determination were a decree made in exercise of the jurisdiction conferred by Part III of the County Courts Act (Northern Ireland) 1959, and the appeal were brought under the County Court Appeals Act (Northern Ireland) 1964.”.

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

The Northern Ireland (Miscellaneous Provisions) Act 1932

In section 9(3) for the words "under the Landed Estates Court (Ireland) Act 1858 or any Act amending that Act or under the Land Purchase Acts an application is made" substitute the words "an application is made to the High Court or to a county court".

The Foreign Judgments (Reciprocal Enforcement) Act 1933

In section 13(b) for the words from "respectively" to the end substitute the words "respectively, references to sections 55 and 116 of the Judicature (Northern Ireland) Act 1978".

The Trade Marks Act 1938

In section 18, in its application to proceedings in Northern Ireland relating to trade marks, in subsection (7) for the words from the beginning to "the Court" substitute the words "On an appeal under this section, the Court" and in subsection (8) after the word "prescribed" insert the words "by rules of court made for the purposes of this subsection under section 55 of the Judicature (Northern Ireland) Act 1978".

In section 32(1) as it applies to such proceedings as aforesaid, for the words from "may apply" to "the Registrar" substitute the words "may apply to the Court or, at the option of the applicant and subject to the provisions of section 54 of this Act, in the prescribed manner to the Registrar".

In section 68(1) in the definition of "prescribed" after the word "means" insert the words "(subject to provisions relating to Northern Ireland)".

The War Damage Act 1943

In section 33(1), as it applies to Northern Ireland, for the words from "make payment thereof" to the end substitute the words "make payment thereof into the Supreme Court or, if the amount thereof does not exceed £500, into a county court".

The Pensions Appeal Tribunals Act 1943

In section 6(2), as it applies to Northern Ireland, for the words from "a judge of" to "conclusive" substitute the words "the Court of Appeal, appeal therefrom, within such time as may be limited by rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978, to the Court of Appeal whose decision shall be final".

In section 14 for the words from "Lord Chancellor" to the end substitute the words "Lord Chancellor (except the reference in paragraph 7A of the Schedule) there shall be substituted references to the Lord Chief Justice of Northern Ireland".

In the Schedule, as it applies to Northern Ireland, in paragraph 5(4)(c) for the words "a judge of the High Court" substitute the words "the Court of Appeal".

The Exchange Control Act 1947

In Schedule 4 in paragraph 8(2) for the words from "may be made" to the end substitute the words "may be made, as respects the Supreme Court under section 55 of the Judicature (Northern Ireland) Act 1978 and, as respects county courts, under section 146 of the County Courts Act (Northern Ireland) 1959 and, as respects magistrates' courts, under section 23 of the Magistrates' Courts Act (Northern Ireland) 1964; and the reference to the court in subparagraph (a) shall, as regards rules to be made as respects the Supreme Court, be construed

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

as referring to that Court, as regards rules to be made as respects county courts, be construed as referring to such county court as may be prescribed by the rules, and, as regards rules to be made as respects any other court, be construed as referring to that court. "

The Crown Proceedings Act 1947

In this Act as it applies in Northern Ireland in relation to Her Majesty's Government in the United Kingdom and in relation to Her Majesty's Government in Northern Ireland—

- (a) in section 20(2), for paragraph (c) substitute—
 - “(c) the provisions of any rule of court relating to costs in actions brought in the High Court of Justice in Northern Ireland which could have been brought in an inferior court there shall not apply to any proceedings by the Crown ;”and
- (b) in section 38(2), in the definition of " Civil proceedings " for the words " proceedings on the Crown side of the King's Bench Division of the High Court of Justice in Northern Ireland " substitute the words " an application for judicial review pursuant to section 18 of the Judicature (Northern Ireland) Act 1978

The Representation of the People Act 1949

The following amendments shall be made to the Act as it applies to Northern Ireland.

In sections 66(6), 74(9), 109(8), 128(6), 145(4) and 152(6), in each case, for the words " for the time being on the rota for the trial of parliamentary election petitions " substitute the words " of the High Court or the Court of Appeal for the time being selected under section 108 of the Judicature (Northern Ireland) Act 1978 ".

In section 110(1) for the words from "two judges" to "their seniority " substitute the words " the two judges of the High Court or the Court of Appeal for the time being selected under section 108 of the Judicature (Northern Ireland) Act 1978 ".

In section 123(1) for the words " at assizes " substitute the words " in the High Court ".

In section 126(2) for the words " further consideration by the High Court " substitute the words " consideration by the Court of Appeal ",
 and for the words " High Court " where twice subsequently occurring substitute the words " Court of Appeal ".

In section 163 in the definition of " prescribed " for the words from " rules " to the end substitute the words " rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978 ;
 ".

The Arbitration Act 1950

In section 38 as it applies to Northern Ireland for subsection (3) substitute—

- “(3) Subject to the provisions of this section, rules of court may be made under section 55 of the Judicature (Northern Ireland) Act 1978 with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act.”.

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

The Maintenance Orders Act 1950

In section 13(1) for the words " in accordance with rules made by the Lord Chief Justice of Northern Ireland " substitute the words " in the prescribed manner ".

In section 25(2) for the words from the beginning to " regulating " substitute the words " Rules made under section 23 of the Magistrates' Courts Act (Northern Ireland) 1964 may regulate ".

In section 28(1) in the definition of " prescribed " for the words " by the Lord Chief Justice of Northern Ireland under this Act " substitute the words " under section 23 of the Magistrates' Courts Act (Northern Ireland) 1964 ".

The Administration of Justice Act 1956

In Part I of Schedule 1 after paragraph 4 insert—

“Bail in Admiralty matters

- 4A In any proceedings in the High Court under this Part of this Schedule, bail may be taken to answer the judgment of the High Court (or of the Court of Appeal or House of Lords on an appeal from that judgment) and the High Court may withhold the release of any property under its arrest until such bail has been given.”.

The Geneva Conventions Act 1957

In section 4(1) as substituted by section 52 of, and Schedule 5 to, the Criminal Appeal Act 1968, for the words " the Court of criminal Appeal in Northern Ireland " substitute the words " the Court of Appeal in Northern Ireland ".

The Administration of Justice Act 1960

In paragraph 2 of Schedule 2 for the word " accordingly " substitute the words " as references to a court of the High Court of Justice in Northern Ireland consisting of two or more judges ".

The Professions Supplementary to Medicine Act 1960

In paragraph 2(2) of Schedule 2 after the words " Supreme Court of Judicature (Consolidation) Act 1925 " insert the words " , of section 67 of the Judicature (Northern Ireland) Act 1978 ".

The Veterinary Surgeons Act 1966

In paragraph 4(2) of Schedule 2 after the words " Supreme Court of Judicature (Consolidation) Act 1925 " insert the words " , of section 67 of the Judicature (Northern Ireland) Act 1978 ".

The Arbitration (International Investment Disputes) Act 1966

In section 8(b) for the words " section 7 of the Northern Ireland Act 1962 " substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

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

The Criminal Appeal Act 1968

In the paragraph of Part I of Schedule 5 which substitutes section 4(1) and (1A) for the former section 4(1) of the Geneva Conventions Act 1957 for the words " the Court of Criminal Appeal in Northern Ireland " substitute the words " the Court of Appeal in Northern Ireland ".

The Criminal Appeal (Northern Ireland) Act 1968

In section 8 and in the succeeding provisions of the Act for the words " the Court of Criminal Appeal" wherever they occur substitute the words " the Court of Appeal ".

In section 14(1) for the words from " such court" to the end substitute the words " the Crown Court at such place as the Court of Appeal may direct or, if no such direction is given, at the place at which he was originally tried or such other place as the Crown Court may direct ".

In section 20(3) for the words " the Registrar " in the first place where they occur substitute the words " the Master (Queen's Bench and Appeals) (in this Act referred to as " the Master ") " and in the other place where they occur substitute the words " the Master ".

In section 23(4), 24(1) and (2), 25(1)(b), 25(3)(b), 27 and 48A(5) for the words " the Registrar " substitute the words " the Master ".

In section 32(2) for the words " allowed by the Court of Criminal Appeal" substitute the words " allowed by the Master (Taxing Office) ".

In section 34 for the words "a court of assize or a county court under section 57 of the Children and Young Persons Act (Northern Ireland) 1950 " substitute the words " the Crown Court under section 76 of the Children and Young Persons Act (Northern Ireland) 1968 ".

In section 36(1) at the end add the words " under Part II of this Act ".

In section 46(2)(b) for the words "the court of assize or county court" where they first occur substitute the words " the Crown Court ". In section 48 after paragraph (d) insert the following paragraph—

“(e) the power to make an order under section 46(1) of this Act;”

In section 49—

- (a) in subsection (2) for the words " rules having effect by virtue of subsection (1) of this section " substitute the words " rules of court ";
- (b) in subsection (3) for the words " No rule " substitute the words " No rule of court ".

In section 50—

- (a) for the definition of " the Court of Appeal" substitute the following definitions—
 - “" the Court" and " the Court of Appeal" mean Her Majesty's Court of Appeal in Northern Ireland;
 - " the Crown Court" means Her Majesty's Crown Court in Northern Ireland ;”
- (b) in the definition of " rules of court" for the words " section 7 of the Northern Ireland Act 1962 " substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

The Family Law Reform Act 1969

In section 6(7) for the words " or under any corresponding enactment of the Parliament of Northern Ireland substitute the words " or under section 27 of the Judicature (Northern Ireland) Act 1978 ".

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The Administration of Justice Act 1969

In section 16(1) for the words from " sections 3 " to " 1877 " substitute the words " section 3 of the Judicature Act 1925 there shall be substituted a reference to sections 6 and 7 of the Judicature (Northern Ireland) Act 1978 ".

In sections 20(5) and 21(4) for the words " section 7 of the Northern Ireland Act 1962" substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

The Taxes Management Act 1970

In sections 58(2) and 59(5) for the words " section 1 of the Northern Ireland Act 1962 " substitute the words " section 42 of the Judicature (Northern Ireland) Act 1978 ".

The Income and Corporation Taxes Act 1970

In section 413(6) for the words from " any such moneys" to " Northern Ireland)" substitute the words " money in the Supreme Court of Judicature of Northern Ireland ".

The Administration of Justice Act 1970

In section 34(2) for the words "section 7 of the Northern Ireland Act 1962" substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

The Misuse of Drugs Act 1971

In paragraph 5(2) of Schedule 3 after the words " Supreme Court of Judicature (Consolidation) Act 1925 " insert the words " , of section 67 of the Judicature (Northern Ireland) Act 1978 ".

The Tribunals and Inquiries Act 1971

In section 13(7)(a), (b) and (c), for the words " section 7 of the Northern Ireland Act 1962" substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 " and, in section 13(7)(a), for the words " section 24 of the Supreme Court of Judicature Act (Ireland) 1877 " substitute the words " section 35 of the Judicature (Northern Ireland) Act 1978 ".

The Administration of Justice Act 1973

In section 18(2)(a) for the words "to the Court of Criminal Appeal" substitute the words " from the Crown Court ".

The Social Security (Northern Ireland) Act 1975

In section 94(5) for the words " section 7 of the Northern Ireland Act 1962" substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

The House of Commons Disqualification Act 1975

In section 1(3) in the definition of " civil service of the Crown" after the words " Northern Ireland " insert the words " , the Northern Ireland Court Service ".

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In Part I of Schedule 1 for the words from " or Temporary County Court Judge " to " deputy of such a Judge " substitute the words " or deputy County Court Judge in Northern Ireland ". In Part III of Schedule 1 the entry relating to an officer of or attached to the Supreme Court of Northern Ireland shall cease to have effect and at the appropriate place in alphabetical order insert—

“Statutory officer appointed under section 70 of the Judicature (Northern Ireland) Act 1978.”.

The Northern Ireland Assembly Disqualification Act 1975

In section 1(2) in the definition of " civil service of the Crown " after the words " Northern Ireland " insert the words " , the Northern Ireland Court Service ".

In Part I of Schedule 1 for the words from " or Temporary County Court Judge " to " deputy of such a Judge " substitute the words " or deputy County Court Judge in Northern Ireland ".

In Part III of Schedule 1 the entry relating to an officer of or attached to the Supreme Court of Northern Ireland shall cease to have effect and at the appropriate place in alphabetical order insert—

“Statutory officer appointed under section 70 of the Judicature (Northern Ireland) Act 1978.”.

The Northern Ireland (Emergency Provisions) Act 1978

In sections 2(1)(a) and 3(1) for the words " of the Supreme Court " substitute the words " of the High Court or the Court of Appeal ".

For section 6 substitute—

“6 Court for trial of scheduled offences.

- (1) A trial on indictment of a scheduled offence shall be held only at the Crown Court sitting in Belfast,
- (2) A person committed for trial for a scheduled offence or two or more offences which are or include scheduled offences shall be committed to the Crown Court sitting in Belfast and section 48 of the Judicature (Northern Ireland) Act 1978 shall have effect accordingly.”.

In section 7(6) for the words " Court of Criminal Appeal " where they twice occur substitute the words " Court of Appeal ".

In section 33(5) for the words from " shall " to the end of the subsection substitute the words " shall, if he was committed to the Crown Court sitting elsewhere than in Belfast, be treated as having been committed to the Crown Court sitting in Belfast ".

In section 33(7) for the words "the Belfast City Commission" substitute the words " the Crown Court sitting in Belfast ".

(2) ACTS OF THE IRISH PARLIAMENT AND PARLIAMENT OF NORTHERN IRELAND

The Habeas Corpus Act (Ireland) 1781

In section 2 for the words from " in the court of King's bench " to " case shall require " substitute the words " in the Crown Court " .

In section 8 for the words " judge of assize " substitute the words " judge of the Crown Court " .

The Bankruptcy Amendment Act (Northern Ireland) 1929

In section 21(1) for the words from the beginning to " providing " substitute the words " Rules of court may provide " and for the words from the end of paragraph (b) onwards substitute the words " and may provide for any matters for which provision may be necessary in order to give full effect to this section and prescribe anything which is to be prescribed thereunder " .

In section 28(1)—

- (a) in the definition of " The court " for the words from " a judge " to the end substitute the words " the High Court " ;
- (b) in the definition of " Prescribed " for the words from " section sixty-one " to the end substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 " .

The Motor Vehicles and Road Traffic Act (Northern Ireland) 1929

In section 7(3) for the words from " such division or court of the Supreme Court " to the end substitute the words " the Court of Appeal and the decision of that Court shall be final " .

The Planning and Housing Act (Northern Ireland) 1931

In section 34(4) and (5) for the words " Supreme Court " wherever they occur substitute the words " Court of Appeal " .

In section 45(3) for the words " Supreme Court " substitute the words " High Court " .

The Evidence Act (Northern Ireland) 1939

In section 5(1) after the words " rules of court " insert the words " and county court rules " ,

The Matrimonial Causes Act (Northern Ireland) 1939

In the long title and in section 1 for the words " Supreme Court " substitute the words " High Court " .

In section 4(1)(a) for sub-paragraph (i) substitute—

“(i) an order of the High Court; or”.

For section 27(2) substitute—

“(2) Rules of court may be made under section 55 of the Judicature (Northern Ireland) Act 1978 for prescribing anything which by this Act is to be prescribed”.

In section 30(1) for the definition of " High Court " substitute—

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““ High Court ” includes the Master (Probate and Matrimonial) exercising such jurisdiction of the court as may be prescribed in that behalf by rules made under section 55 of the Judicature (Northern Ireland) Act 1978”.

In section 30(1) in the definition of " Presentation " for the words " Principal Probate Registry" substitute the words " Probate and Matrimonial Office ".

The Landlord and Tenant (war Damage) Act (Northern Ireland) 1941

For section 33(7) substitute—

“(7) If any party to any proceedings in the county court under this Act is dissatisfied with the order, determination, direction or decision of the court he may appeal therefrom to the High Court”.

In section 38(1) in the definition of " rules of court " for the words from " require " to the end substitute the words " require, rules under section 55 of the Judicature (Northern Ireland) Act 1978, ".

The Criminal Justice Act (Northern Ireland) 1945

In section 35(1) for the words "a court of assize or of quarter sessions" substitute the words " the Crown Court or a county court ".

In section 35(7) for the words " court of quarter sessions " substitute the words " county court ".

The Indictments Act (Northern Ireland) 1945

In section 3(2) for the words " the rules under this Act" substitute the words " Crown Court Rules ".

In section 8 for the words " rules under this Act" substitute the the words " Crown Court rules ".

The Probation Act (Northern Ireland) 1950

In sections 4(3)(b), 6(3)(b), 6(4), 6(6), 6(8) and 7(4) for the words " a court of assize or quarter sessions " wherever they occur substitute the words " the Crown Court ".

In sections 4(3)(b), 4(4), 6(3)(b), 6(4) and 6(6) for the words " the court of assize or quarter sessions " wherever they occur substitute the words " the Crown Court ".

In section 6(2)(a) for the words " a court of assize, a judge of the High " substitute the words " the Crown Court, a judge of that ". For section 6(2)(b) substitute—

“(b) if the order was made by a county court judge on an appeal made to him under section 140, 141 or 142 of the Magistrates' Courts Act (Northern Ireland) 1964, a county court judge acting for the division of the county court in which the order was made or a committing justice;”.

In section 8(1)(a)(i) for the words " a court of assize or county court, to the Court of Criminal Appeal" substitute the words " the Crown Court, to the Court of Appeal ".

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

The Prison Act (Northern Ireland) 1953

In section 6 for the words " a court of assize or quarter sessions " substitute the words " the Crown Court ".

The Juries Act (Northern Ireland) 1953

For sections 1 and 2 substitute—

“1 Payments to be made in respect of jury service.

- (1) Subject to the following provisions of this section, a person who serves as a juror shall be entitled, in respect of his attendance at court for the purpose of performing jury service, to receive payments, at rates determined by the Lord Chancellor with the consent of the Minister for the Civil Service and subject to any prescribed conditions, by way of allowance—
 - (a) for travelling and subsistence; and
 - (b) for financial loss, where in consequence of his attendance for that purpose he has incurred any expenditure (otherwise than on travelling and subsistence) to which he would not otherwise be subject or he has suffered any loss of earnings, or of benefit under the enactments relating to national insurance and social security, which he would otherwise have made or received.
- (2) Subsection (1) shall apply to service on a coroner's jury.
- (3) The determination of the amounts payable to persons under subsection (1) and the manner of making those payments shall be in accordance with arrangements made by the Lord Chancellor and all such payments shall be made out of moneys provided by the Parliament of the United Kingdom.
- (4) In subsection (1) ' prescribed' means prescribed by regulations made by the Lord Chancellor with the consent of the Minister for the Civil Service ; and for the purposes of that subsection a person who, in obedience to a summons to serve on a jury, attends for service as a juror shall be deemed to serve as a juror notwithstanding that he is not subsequently sworn.
- (5) No person shall be entitled under any Act other than this Act or under any rule of law, custom or agreement to payment for his service as a juror.".”.

The Administration of Justice Act (Northern Ireland) 1954

For section 11 substitute—

“11 Local custody and control of courthouse accommodation.

The Lord Chancellor may give directions as to the local custody and control of any courthouse accommodation provided or maintained under this Act.”.

In section 14(1) for the words from the beginning to " on behalf of the Ministry " substitute the words " The Lord Chancellor " and for the word "Ministry" where it twice occurs substitute the words " Lord Chancellor ".

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The Interpretation Act (Northern Ireland) 1954

In section 21—

- (a) in subsection (2) for the words " Ministry of Finance" substitute the word " Treasury ";
- (b) for subsection (4) substitute—

“(4) In any enactment—

" rules of court " shall mean rules of court made, or having effect as if made, under section 55 of the Judicature (Northern Ireland) Act 1978 ;

" Crown Court rules " shall mean rules made under section 52 of the Judicature (Northern Ireland) Act 1978.”;

- (c) in subsection (6) after paragraph (a) insert—

“(aa) in relation to the Crown Court, references to Crown Court rules ;”.

In section 42—

- (a) in subsection (1) for the definition of " county court" substitute—

“" Crown Court" shall mean Her Majesty's Crown Court in Northern Ireland ;

" county court " shall mean a county court held for a division under the County Courts Act (Northern Ireland) 1959;”;

- (b) in subsection (3) for the definition of "Probate Judge" substitute—

“" Probate Judge " shall mean the Judge of the High Court to whom probate business and matters are for the time being assigned.”.

The Trustee Act (Northern Ireland) 1958

In sections 35(9) and 57(4) for the words " Lord Chief Justice or Registrar in Lunacy" substitute the words " High Court or the Master (Care and Protection) ".

In section 67 omit the definition of " pay " and at the end of section 66 add—

“(3) Any reference in this Act to paying money or securities into court shall be construed as referring to paying the money or transferring or depositing the securities into or in the Supreme Court or into or in the county court that has jurisdiction, and any reference in this Act to payment of money or securities into court shall be construed—

- (a) with reference to an order of the High Court, as referring to payment of the money or transfer or deposit of the securities into or in the Supreme Court; and
- (b) with reference to an order of a county court, as referring to payment of the money or transfer or deposit of the securities into or in that court.”.

The Coroners Act (Northern Ireland) 1959

In section 1, for the words from the beginning to " responsible " substitute the words " The Lord Chancellor shall be responsible ".

In section 2(1) for the words from the beginning to "may appoint " substitute the words " The Lord Chancellor may appoint " and for the words from " the Minister, after " to the end substitute the words " the Lord Chancellor, after consultation with the Treasury, may determine and may also, in exercise of his powers under section 69 of the Judicature (Northern Ireland) Act 1978, appoint coroner's officers and other officers to assist such coroners ".

In sections 2(2) and 3 for the word " Minister" substitute the words " Lord Chancellor ".

In section 2(3) for the words from " is a barrister-at-law " to the end substitute the words " has practised for not less than five years either as a member of the Bar of Northern Ireland or as a solicitor of the Supreme Court ".

In section 5 for the words from " moneys " to the end substitute the words " moneys provided by the Parliament of the United Kingdom ".

In section 6(2) for the word " Minister " where it twice occurs substitute the words " Lord Chancellor ".

In sections 11(3), 26 and 27(2) for the word " Ministry " wherever it occurs substitute the words " Lord Chancellor ". In section 36(1) for the words from the beginning to the end of paragraph (a) substitute—

- “(1) The Lord Chancellor may by rules—
- (a) made after consultation with the Treasury, make provision with respect to the records, accounts and returns which the Lord Chancellor may require coroners to keep and submit to him and with respect to information to be supplied by coroners ;”.

For section 36(2) substitute—

- “(2) The Lord Chancellor may with the consent of the Minister for the Civil Service determine—
- (a) the salaries or fees and superannuation to be paid to coroners and to registered medical practitioners employed under section 27(2);
 - (b) the fees and allowances payable to persons assisting at post-mortem examinations ;
 - (c) the allowances payable to witnesses under this Act.”.

The County Courts Act (Northern Ireland) 1959

In section 3(1) after the word " shall " insert the words " except where the Lord Chancellor otherwise directs ".

For section 5 substitute—

“5 Additional and extraordinary sittings.

- (1) The Lord Chancellor may, where he considers it expedient to do so for the purpose of avoiding extra- delay in the administration of justice, give directions for the holding of sittings of the county court in addition to the ordinary sittings fixed under this Act.
- (2) Subject to county court rules and to any directions given by the Lord Chancellor under section 2 or subsection (1), a judge may, in addition to the ordinary sittings, sit at any other time or times for the hearing of any proceedings where he is satisfied that such additional sitting is necessary or expedient for the doing of justice between the parties.”.

In section 6(2) for the words from " from hearing " to the end substitute the words " or circuit registrar from hearing and determining any civil action which he is authorised by any enactment or by county court rules to hear and determine ".

In section 6(4)(a) for the words " for which he acts as judge " substitute the words " to which he is assigned under section 102 ".

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

In section 33(3)(a) for the words "Registrar of the Supreme Court " substitute the words " Master (Queen's Bench and Appeals) ".

In section 36 for the words from " tried " to the end substitute the words " tried at some other place in the same division or in any other division, he may order those proceedings to be transferred to a court sitting at such other place, and they shall be heard and determined by that court accordingly ".

In section 38 for the words " section sixteen of the Summary Jurisdiction Act (Northern Ireland) 1953 " substitute the words " section 85 of the Magistrates' Courts Act (Northern Ireland) 1964 ".

In section 55 in subsection (1) for the words " under rule (3) of section twenty-seven of the Supreme Court of Judicature Act (Ireland) 1877 " substitute the words " to a third or subsequent party or to a defendant seeking contribution or indemnity ".

For section 63 substitute—

“63 Interest.

In determining for the purposes of any provision of this Act whether an amount exceeds, or is less than, a sum specified in that provision, no account shall be taken of the power exercisable by virtue of section 17 of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937 (interest on debts and damages) or of any order made in the exercise of such power.”.

In section 71(3) at the end add the words " or by a circuit registrar ".

In section 105—

(a) for subsection (1) substitute—

“(1) Subject to subsection (1A), the Lord Chancellor may, if he thinks fit, remove a judge from office on the ground of incapacity or misbehaviour.

(1A) Subsection (1) shall not apply to a judge holding office immediately before 1st January 1974 but—

(a) subject to paragraph (b), every such judge shall hold office during good behaviour subject to a power of removal by Her Majesty on an address presented to Her Majesty by both Houses of the Parliament of the United Kingdom ;

(b) where the Lord Chancellor is satisfied that by reason of infirmity of mind or body any such judge is incapable of discharging the duties of his office, and that the incapacity is likely to be permanent, he may, upon hearing any representations made by or on behalf of the judge, remove him from office.”;

(b) in subsection (4) for the words " and (2)" substitute the words " and (1A) ". For section 106 substitute—

“106 Salaries and allowances of judges.

(1) There shall be paid to each judge such salary as may be determined by the Lord Chancellor with the consent of the Minister for the Civil Service.

(2) The salary payable to any judge shall begin from the date on which the judge takes the oaths required by section 105(3).

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

- (3) The Lord Chancellor with the approval of the Minister for the Civil Service may allow to any judge, for the purpose of defraying his travelling and subsistence expenses, such sum as appears reasonable.”.

In section 114—

- (a) in subsection (1) for the words " county court rules " substitute the words " directions given by the Lord Chancellor ";
- (b) in subsection (2) for the words from "by the Ministry" to the end substitute the words " by the Lord Chancellor with the approval of the Minister for the Civil Service ".

In section 116—

- (a) for the words " Ministry of Finance " wherever they occur substitute the words " Minister for the Civil Service ";
- (b) for the word "Minister" wherever it occurs substitute the words " Lord Chancellor ";
- (c) for the word " Governor " in subsection (4) substitute the words " Lord Chancellor ".

In sections 123(2), 125(3) and 126, for the words "Ministry of Finance " wherever they occur substitute the words " Minister for the Civil Service ".

In section 132 for the word " Ministry " substitute the words " Lord Chancellor ".

For section 134 substitute—

“134 Evidence of health.

Before recommending any person to Her Majesty of health, for appointment as a county court judge, the Lord Chancellor shall take steps to satisfy himself that that person's health is satisfactory.”.

In section 136 for the words from the beginning to the beginning of paragraph (a) substitute the words " There shall be charged on and paid out of the Consolidated Fund of the United Kingdom ".

and for the words " Ministry of Finance " substitute the word " Treasury ".

In section 137 for the words from "provided by" to "all expenses " substitute the words " provided by the Parliament of the United Kingdom all expenses ".

In section 142(1) for the words from "the clerk of the Crown and peace " to the end substitute the words " a circuit registrar, a commissioner for oaths, a justice of the peace or any officer of the court designated for the purpose by the Lord Chancellor ".

In section 144 for the word "Ministry" where it twice occurs substitute the words " Lord Chancellor ".

In section 145(1) for the words " the prescribed officer " substitute the words " an officer of the court designated by the Lord Chancellor ".

In section 146—

- (a) in subsections (2) and (6) for the word "Minister" substitute the words " Lord Chancellor ";
- (b) for subsection (3) substitute—

“(3) For the purposes of or in relation to any jurisdiction exercisable by county courts, any such rules and orders as are referred to in section 21(1) and (2) of the Interpretation Act or section 147 of this Act may—

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

- (a) be made by the Rules Committee in accordance with the following provisions of this section ; and
- (b) be known respectively as " county court rules " and " county court orders " .";
- (c) in subsection (7) for the word " Ministry " substitute the words " Lord Chancellor " ;
- (d) for subsection (10) substitute—

“(10) County court rules and county court orders made by the Rules Committee shall—

- (a) be certified under the hand of the members of the Rules Committee, or any three or more of them ; and
- (b) when certified under paragraph (a), be submitted to the Lord Chancellor who, after consultation with the Lord Chief Justice, may allow, disallow or alter them.

(11) County court rules and county court orders made by the Rules Committee, as allowed or altered by the Lord Chancellor, shall come into operation on such date as the Lord Chancellor may direct.”.

In section 147—

- (a) for the words " make recommendations to the Minister with respect" substitute the words " make county court rules and county court orders with respect " ;
- (b) at the end of paragraph (b)(ii) add the words " or by a circuit registrar. " .

In section 152(1) in the definition of " judge " for the words " for a division under this Act" substitute the words " under section 102 " .

In Part III of Schedule 2—

- (a) in paragraph 1, for the words from "provided by" to the end substitute the words " provided by the Parliament of the United Kingdom " ;
- (b) in paragraph 2, for the words from " payable" to " derivative " substitute the words " payable out of the Consolidated Fund of the United Kingdom, the derivative " ;
- (c) in paragraph 3(1) for the words from " paid into " to the end substitute the words " paid into the Consolidated Fund of the United Kingdom " ;
- (d) in paragraph 3(2) for the words from " payments out" to " will secure " substitute the words " payments out of the Consolidated Fund of the United Kingdom or out of moneys provided by the Parliament of the United Kingdom and payments into the Consolidated Fund of the United Kingdom as will secure " .

The Resident Magistrates' Pensions Act (Northern Ireland) 1960

In section 1 for the words from " on attaining the age of seventy years " to the end substitute the words " at the end of the completed year of service in which he attains the age of seventy ; but where the Lord Chancellor considers it desirable in the public interest to retain him in office after that time, the Lord Chancellor may from time to time authorise him to continue in office up to such age, not exceeding seventy-two, as the Lord Chancellor thinks fit " .

The Companies Act (Northern Ireland) 1960

In section 349(9) for the words from the beginning to " Bankruptcy Acts " substitute the words " Subject to such modifications as may be made by rules of court, the Bankruptcy Acts " .

In section 389(1) and (3), for the words " a judge of the Supreme Court " substitute the words " the High Court " .

The Mental Health Act (Northern Ireland) 1961

In section 1(1)(f)—

- (a) for the words "the Department for the Affairs of Mental Patients" substitute the words " the Office of Care and Protection " and for the words " the said Department " (in subparagraph (iii)) substitute the words " the said Office ";
- (b) for sub-paragraph (i) substitute—
 - “(i) as the High Court may require for the exercise of its jurisdiction under section 28 of the Judicature (Northern Ireland) Act 1978.”.

In section 25 for the words " the Registrar of the Department for the Affairs of Mental Patients " substitute the words " the Master (Care and Protection) " .

In section 45 for the words " Lord Chief Justice, the Registrar of the Department for the Affairs of Mental Patients " substitute the words " High Court, the Master (Care and Protection) " .

In sections 48(1) and 59(2)(c), for the words " a court of assize or a county court " substitute the words " the Crown Court " .

In section 55(1) for the words " a county court or a court of assize " substitute the words " or the Crown Court " .

In section 56(6) for the words " at the next county court or, as the case may be, court of assize for " substitute the words " by the Crown Court at " .

In section 59(2)(a) and (b) and 63(2) for the words "a court of assize or the county court " substitute the words " the Crown Court " .

In section 69(1)(d) for the words " the Lord Chief Justice " where first occurring substitute the words " the High Court " and for the words " the Lord Chief Justice to exercise his functions and for the tribunal " substitute the word " them " .

In section 73(1) and 74 for the words " the Department for the Affairs of Mental Patients " substitute the words " the Office of Care and Protection " .

In section 74 for the words " the Lord Chief Justice " substitute the words " rules of court " .

In section 79(4) for the words "Supreme Court", wherever occurring, substitute the words " Court of Appeal " .

In section 87(1)—

- (a) for the words " the Lord Chief Justice " where first occurring substitute the words " the High Court ";
- (b) for the words " the Department for the Affairs of Mental Patients " substitute the words " the Office of Care and Protection " and for the words " the said Department " (in paragraph (d)) substitute the words " the said Office ";
- (c) for paragraph (a) substitute—
 - “(a) as the High Court may require for the exercise of its jurisdiction under section 28 of the Judicature (Northern Ireland) Act 1978”.

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

In section 87(2) for the words " Lord Chief Justice " where first occurring substitute the words " High Court " and for the words " the Lord Chief Justice to exercise his functions, or as the case may be, for the tribunal " substitute the word " them ".

In section 101(8)(a) for the words " Lord Chief Justice " substitute the words " High Court ".

In section 111(2) for the words "the Supreme Court, and the Supreme Court" substitute the words " a judge of the High Court, who ".

In section 117(2) for the words from " the Lord Chief Justice " to " enactment " substitute the words " the High Court under section 28 of the Judicature (Northern Ireland) Act 1978 ".

The Electoral Law Act (Northern Ireland) 1962

For section 72(2) substitute—

“(2) An election court for the trial of petitions relating to parliamentary elections (in this Act referred to as a " parliamentary election court") shall consist of the two judges of the High Court or the Court of Appeal for the time being selected under section 108 of the Judicature (Northern Ireland) Act 1978.”.

In section 83(2), (3) and (4) for the words "Supreme Court" substitute the words " Court of Appeal ".

In paragraph 17(2) of Schedule 3, for the words " Supreme Court " substitute the words " Court of Appeal ".

The County Court Appeals Act (Northern Ireland) 1964

In section 1 for subsections (3) to (6) substitute—

“(3) The appeal shall lie to the High Court and the decision of the High Court shall, except as provided by section 3, be final.”.

In sections 2(3) and 8(1) for the words " Registrar of the Supreme Court " substitute the words " Master (Queen's Bench and Appeals) ".

In section 2(7) for the words " the Administration of Justice Act 1960" substitute the words " section 41 of the Judicature (Northern Ireland) Act 1978 ".

In section 8(2) for the words " section 7 of the Northern Ireland Act 1962" substitute the words " section 55 of the Judicature (Northern Ireland) Act 1978 ".

The Magistrates' Courts Act (Northern Ireland) 1964

For section 3 substitute—

“3 Justices of the peace.

Justices of the peace shall be appointed in accordance with section 103 of the Judicature (Northern Ireland) Act 1978 ”.

In section 6(1) for the words from " member of " to the end substitute the words " member of the Northern Ireland Court Service, notary public or commissioner for oaths ".

In section 7 for the words from the beginning to " shall" substitute the words " A person appointed as a justice of the peace shall, except where he has already done so in connection with a former appointment, ".

In section 10(1) for the word " Governor" wherever it occurs substitute the words " Lord Chancellor " and for the words " being eligible for appointment as resident magistrates " substitute the words " being persons who are eligible for appointment as, or have previously been, resident magistrates ".

For section 11 substitute—

“11 Removal of resident magistrates from office.

- (1) Subject to subsection (2) and to section 1 of the Resident Magistrates' Pensions Act (Northern Ireland) 1960, every resident magistrate shall hold his office during good behaviour, but may be removed from his office by the Lord Chancellor on the ground of incapacity or misbehaviour.
- (2) Subsection (1) shall not apply to a resident magistrate holding office immediately before 1st January 1974 but, subject to section 1 of the Resident Magistrates' Pensions Act (Northern Ireland) 1960, every such resident magistrate shall hold office during good behaviour subject to a power of removal by Her Majesty on an address presented to Her Majesty by both Houses of the Parliament of the United Kingdom.”.

In section 12(1) for the words from the beginning to " the salaries " substitute the words " The Lord Chancellor may, with the consent of the Minister for the Civil Service, determine the salaries ".

In section 14(1) for the words " or county borough " wherever they occur substitute the words " court division ".

In section 18(1), for the words "apply to the High Court for" substitute the words " make an application for judicial review to the High Court seeking ".

In section 20 for the word " Ministry" where it twice occurs substitute the words " Lord Chancellor " and for the words " Ministry of Finance " substitute the word " Treasury ".

In section 22 for the word " Ministry " substitute the words " Lord Chancellor ".

In section 23—

- (a) for the word " Minister " wherever it occurs substitute the words " Lord Chancellor ";
- (b) in subsection (2) for the words from " the majority " to the end substitute the words " shall include at least two resident magistrates, one practising barrister and one practising solicitor ";
- (c) in subsection (4) for the words from " by the Minister" to the end substitute the words " by the Lord Chancellor on the advice of or after consultation with the Rules Committee and after consultation with the Lord Chief Justice ".

In section 24 for the word " Minister " substitute the words " Lord Chancellor ".

In section 25(1) for the word " Ministry" substitute the words " Secretary of State " and in section 25(2) for the word " Minister " substitute the words " Lord Chancellor ".

For section 30 substitute—

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

“30 Clerks of Petty sessions.

References in this Act to clerks of petty sessions are references to the persons appointed as such by the Lord Chancellor in the exercise of his power under section 69 of the Judicature (Northern Ireland) Act 1978 and include references to persons appointed under that power as assistant or deputy clerks of petty sessions.”.

In section 31(1), 35(1) and (2) for the words " or county borough " wherever they occur substitute the words " court division ".

In section 32(1), (3) and (4) for the words " local jurisdictions " and " jurisdictions" wherever they occur substitute the words " county court divisions " and in section 32(2) for the words " local jurisdiction " substitute the words " county court division ".

In section 44(3), for the words " court of assize or county court" substitute the words " Crown Court ".

In section 46 for the word " Governor" substitute the words " Secretary of State ".

In section 54(1)(a) for the words " or county borough " substitute the words " court division ".

In section 58(3) for the words " a county court or court of assize " substitute the words " the Crown Court ".

In section 59(1) for the word " county" substitute the words " county court division ".

In section 87(3) and 89 for the words " or county borough" wherever they occur substitute the words " court division ".

In section 95 for the word " Ministry " wherever it occurs substitute the words " Lord Chancellor " and in subsection (8) for the words in brackets substitute the words " (other than a member of the Northern Ireland Court Service) ".

In section 110(1)(b) for the word "county" substitute the words " county court division ".

In section 138(1) for the words " a court of assize " substitute the words " the Crown Court ".

In section 142(2) for the words from " section 13 " to " to that Act" substitute the words " section 44 of the Judicature (Northern Ireland) Act 1978 ".

In section 147(2) for the words " the Administration of Justice Act 1960," substitute the words " section 41 of the Judicature (Northern Ireland) Act 1978 ".

In section 150(1) and (2) for the words from " to the clerk of petty sessions " to the end substitute, in each case, the words " to such member of the Northern Ireland Court Service as the Lord Chancellor may designate and such person shall forthwith give notice to the other party to the appeal ".

In section 152(2) for the words from " paid into " to " so, however " substitute the words " paid into the Consolidated Fund of the United Kingdom so, however ".

In section 160 for the words " section 16 of the Administration of Justice Act 1960 " substitute the words " section 25 of the Judicature (Northern Ireland) Act 1978 ".

For section 168, substitute—

“168 Expenses.

- (1) Any expenses incurred by the Lord Chancellor in performing his functions under this Act or any increase in the expenses of the Lord Chancellor in defraying any sums authorised by this Act to be paid, or which are attributable to the performance of any function conferred by this Act, shall be defrayed out of moneys provided by the Parliament of the United Kingdom.
- (2) There shall be charged on and paid out of the Consolidated Fund of the United Kingdom the salaries payable to resident magistrates under this Act or the Resident Magistrates (Belfast) Act 1911.
- (3) Any expenses incurred by or in connection with the Rules Committee shall be defrayed as part of the expenses incurred by the Lord Chancellor in performing his functions under this Act.”.

In section 169 after the definition of " complainant " insert—

“county court division ' means a division specified under section 1(1) of the County Courts Act (Northern Ireland) 1959;”

In Schedule 5 in paragraph 1 for the words " a court of assize or to a county court, as the case may be," substitute the words " the Crown Court ".

The Lands Tribunal and Compensation Act (Northern Ireland) 1964

In section 2—

- (a) in subsection (1) for the words " subsection (4) " substitute the words " subsections (4) and (4A) "; and
- (b) after subsection (4) insert—

“(4A) Without prejudice to subsection (4), a member of the Lands Tribunal holding office immediately before 1st January 1974 may be removed from office by Her Majesty upon an address presented to Her Majesty by both Houses of the Parliament of the United Kingdom.”.

The Charities Act (Northern Ireland) 1964

In section 30(1) for the words " The chief registrar of the Principal Probate Registry of the High Court " substitute the words " The Master (Probate and Matrimonial) " and for the words from "that Registry " to the end substitute the words " the Probate and Matrimonial Office, or of which a copy has been forwarded to him from a branch office of that Office. ".

The Legal Aid and Advice Act (Northern Ireland) 1965

In section 21(5) for the words " a county court or court of assize " wherever they occur substitute the words " the Crown Court ".

In sections 27(2) and 29(3)(b) for the words " a court of assize or a county court" substitute the words " the Crown Court ".

For paragraph 1(c) of Schedule 1 Part I substitute—

“(c) the High Court and the Court of Appeal;”.

In paragraphs 1(1) and 2(1) of Schedule 3 for the words "the Supreme Court" substitute the words " the High Court or the Court of Appeal ".

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

The Maintenance and Affiliation Orders Act (Northern Ireland) 1966

In section 10(2) after paragraph (e) insert—

“(f) section 27 of the Judicature (Northern Ireland) Act 1978”.

The Building Societies Act (Northern Ireland) 1967

In section 98(1) for the words " Supreme Court" substitute the words " Court of Appeal ".

The Costs in Criminal Cases Act (Northern Ireland) 1968

In section 4 for the words " Court of Criminal Appeal" wherever they occur substitute the words " Court of Appeal ".

For section 7 substitute—

“7 Rules relating to cost.

Rules of court, Crown Court rules, county court rules and magistrates’ courts rules may provide for the rates or scales of payment of costs under sections 2 to 5 in so far as those sections relate to costs in the Court of Appeal, the Crown Court, county courts and magistrates' courts respectively.”.

The Treatment of Offenders Act (Northern Ireland) 1968

In sections 19(4), 20(3), 21(3), 25 and 29(1) for the words " a court of assize or county court" wherever they occur substitute the words " the Crown Court ".

In section 19(4) for the words " the judge of the court of assize or county court, as the case may be " substitute the words " the judge of the Crown Court ".

In section 20(1) for the words from "any court of assize" to " brought or " substitute the words " the Crown Court or ".

In section 20(5) for the words " sentenced or ordered to be detained" substitute the word " tried ".

In section 21(1) for the words " or county borough " substitute the words " court division ".

In section 21(2) for the words " High Court judge or a county court judge " substitute the words " judge of the Crown Court ".

In section 25(3) for the words " assizes or county court" substitute the words " Crown Court " and for the words " the court of assize or county court" wherever they occur substitute the words " the Crown Court ".

The Children and Young Persons Act (Northern Ireland) 1968

In section 65(2) for the words from the beginning to " to be held " substitute the words " Directions given by the Lord Chancellor under section 21(3) of the Magistrates' Courts Act (Northern Ireland) 1964 ".

In sections 67(b) and 101(3) after the word " county " insert the words " court division ".

In section 76(6)(b) for the words " a court of assize or a county court, to the Court of Criminal Appeal" substitute the words " the Crown Court, to the Court of Appeal ".

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

In section 79(2) for the words " court of assize or the county court, as the case may be, at which the case will be tried, if tried by a jury " substitute the words " place at which the Crown Court, at which the case will be tried if tried by a jury, may sit ".

In sections 136(4) and 178(4) and in paragraphs 1(1) and 3(2) of Schedule 2 for the words " or county borough " and " and county borough " wherever they occur substitute the words " court division ".

In section 156(7) for the words " a county court or a court of assize " substitute the words " the Crown Court " and for the words "in the county or county court division in which the court of assize or county court was held when it made the contribution order " substitute the words " in Northern Ireland ".

In section 178, as originally enacted, for the word " Ministry" where it twice occurs substitute the words " Lord Chancellor ".

In Schedule 2—

- (a) in paragraph 1(2) for the word "Governor" substitute the words " Lord Chancellor ";
- (b) in paragraphs 1(3) and 8 for the word " Ministry " wherever it occurs substitute the words " Lord Chancellor ";
- (c) at the end of paragraph 1(4) add the words " by regulations made under paragraph 8 ";
- (d) in paragraph 2(2) for the words from " who " to the end substitute the words " who has taken the said oaths after a previous appointment as a member of any such panel or who has taken the said oaths as required by section 7 of the Magistrates Courts Act (Northern Ireland) 1964 ";
- (e) in paragraph 6 for the words " The Ministry may pay " substitute the words " The Lord Chancellor may, out of money provided by the Parliament of the United Kingdom, pay " and for the words from " Ministry may determine " to the end substitute the words " Lord Chancellor may, with the approval of the Minister for the Civil Service determine ";
- (f) at the end of paragraph 8 add—
 - “(d) be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instrument Act 1946 shall apply accordingly.”.

The Grand Jury (Abolition) Act (Northern Ireland) 1969

In section 2(1) for the words " a court of assize or to a county court" substitute the words " the Crown Court ".

In section 2(2)(c) for the words " Court of Criminal Appeal" substitute the words " Court of Appeal ".

In section 2(2)(e) for the words " Supreme Court or a county court judge " substitute the words " High Court, Court of Appeal or Crown Court ".

In section 2(3) for the words " a court of assize or a county court " substitute the words " the Crown Court ".

The Judgments (Enforcement) Act (Northern Ireland) 1969

In section 1 for subsection (3) substitute—

- “(3) Without prejudice to subsection (2), the Lord Chancellor may by order apply this Act, with such modifications as the circumstances may require, to any judgment or award of

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any court or tribunal given or made or having effect or capable of being made effective in Northern Ireland.

- (4) An order under subsection (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.”.

For section 3 substitute—

“3 The Enforcement of Judgments Office.

- (1) The Lord Chancellor shall maintain within the Northern Ireland Court Service an office to be called the Enforcement of Judgments Office (in this Act referred to as " the Office ") by or through which, subject to the provisions of this Act, all judgments to which this Act applies shall be enforced.
- (2) The functions of the Office shall, subject to and in accordance with rules and with directions given by the Lord Chancellor, be exercisable by—
- (a) the Master ;
 - (b) a Judicial Officer ; and
 - (c) the Chief Enforcement Officer or any other member of the Northern Ireland Court Service.
- (3) In this section and in the following provisions of this Act—
- (a) " the Master " and "Judicial Officer " mean, respectively, the Master (Enforcement of Judgments) and a Judicial Officer (Enforcement of Judgments) appointed under section 70 of the Judicature (Northern Ireland) Act 1978 ;
 - (b) " the Chief Enforcement Officer " means such officer of the Northern Ireland Court Service as the Lord Chancellor may designate for the purposes of this Act”.

In section 12 for the words " be deemed to be court records " substitute the words " be preserved in such manner and for such period as the Lord Chancellor may direct ".

In sections 14(1)(b), 22, 23, 24, 25, 29 and 95 for the words " a designated officer" wherever they occur substitute the words "the Office ". In sections 19(1), 22(a), 26(1), 34(b), 40, 97 and 108(2) for the word " regulations " wherever it occurs substitute the word " rules ".

In section 40(3) for the words " fees in accordance with a schedule of fees " substitute the word " charges ".

In section 105 at the beginning of paragraph (c) insert the words " except as provided by rules ".

In section 116(2) for the words "a judge of the High Court" substitute the words " the Court of Appeal ".

For section 117 substitute—

“117 Judgment Enforcement Rules.

- (1) The Lord Chancellor may make rules, to be known as “Judgment Enforcement Rules " for the purpose of regulating the exercise of the jurisdiction conferred on the Office by this Act or on the Master by the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971 and generally for carrying both Acts into effect.

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- (2) Without prejudice to the generality of subsection (1) Judgment Enforcement Rules may—
- (a) provide for regulating and prescribing the procedure and practice to be followed in proceedings before the Office, including the manner in which, the time within which and the conditions on which any proceedings may or are to be taken;
 - (b) provide for regulating any matters relating to the costs of proceedings before the Office;
 - (c) make provision as to proceedings by the Crown;
 - (d) prescribe or fix anything which under this Act may or is to be so prescribed or fixed ;
 - (e) amend or repeal any statutory provision passed before the commencement of this Act so far as may be necessary or expedient in consequence of provisions made by the rules.
- (3) Judgment Enforcement Rules shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.
- (4) Judgment Enforcement Rules which may involve an increase in expenditure out of public funds shall not be made except with the concurrence of the Treasury; but the validity of any rules so made shall not, in any proceedings in any court or in the Office, be called in question either by the court, the Office or any party to the proceedings on the ground only that the Treasury did not concur or are not expressed to have concurred in the making of the rule.”.

For section 120 substitute—

“120 Financial provision.

All expenses of and incidental to the operation of this Act shall be defrayed out of moneys provided by the Parliament of the United Kingdom.”.

In section 128(1) for the words " and any rules of court, rules or regulations made thereunder" substitute the words " , rules made thereunder and rules of court " .

In section 129(1)—

- (a) in the definition of " enforcement officer " for the words from " senior " to the end substitute the words " other officers of the Northern Ireland Court Service designated by the Lord Chancellor for the purposes of this Act ";
- (b) in the definition of " the Master" for the words " section 5(2) " substitute the words " section 3(3)(a) ";
- (c) in the definition of " rules " - for the words from " rules made " to the end substitute the words " Judgment Enforcement Rules made under section 117 " .

In Part II of Schedule 4 in the amendment to the Irish Bankrupt and Insolvent Act 1857 for the word "regulations" substitute the word " rules " .

The Nurses and Midwives Act (Northern Ireland) 1970

In section 46(3) for the words " The Attendance of Witnesses Act 1854 " substitute the words " Section 67 of the Judicature (Northern Ireland) Act 1978 " .

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

The Registration of Deeds Act (Northern Ireland) 1970

In section 3(7) for the words " Supreme Court" substitute the words " High Court or the Court of Appeal ".

The Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971

In sections 5(4) and 11(4) for the words " Registrar of the Department for the Affairs of Patients (Northern Ireland)" substitute the words " Master (Care and Protection) ".

In section 5(7) for the words " the Lord Chief Justice " wherever occurring substitute the words " the High Court ".

The Licensing Act (Northern Ireland) 1971

In sections 27(2) and 68(1) for the words " or county borough " substitute the words " court division ".

The Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971

In section 3 for the words " rules made under section 13 " substitute the words " Judgment Enforcement Rules ".

In section 9(3) for the words " a Judge of the High Court" substitute the words " the Court of Appeal ".

In section 9(4) for the words " Judge of the High Court " substitute the words " High Court or the Court of Appeal ".

In section 16(1)—

- (a) in the definition of " appropriate authority for the words " Minister of Home Affairs " substitute the words " Lord Chancellor ";
- (b) in the definition of " Master " for the words " for the enforcement of judgments " substitute the words " (Enforcement of Judgments) " and for the words " designated officer" substitute the words " Judicial Officer (Enforcement of Judgments) ".

(3) ORDERS IN COUNCIL

The Northern Ireland (Crown Proceedings) Order 1949

In Article 3(3) for the words from the beginning to " 1897 " substitute the words " The expression ' rules of court' shall mean rules made under section 55 of the Judicature (Northern Ireland) Act 1978 ".

The Prosecution of Offences (Northern Ireland) Order 1972

In Article 4(10)(a), before the words " any county court or " insert the words " the Crown Court or in ".

In Article 5(1)(g) for the words " certiorari, mandamus, prohibition or other prerogative order or injunction" substitute the words " judicial review ".

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

The Health and Personal Social Services (Northern Ireland) Order 1972

In paragraph 4 of Schedule 11 Part I, for the words " Supreme Court" substitute the words " Court of Appeal ".

The Juries (Northern Ireland) Order 1974

In Article 2(2) for the definition of " the Juries Officer " substitute the following definitions—

“" division " means a county court division within the meaning of the County Courts Act (Northern Ireland) 1959 ;

" the Juries Officer " in relation to a division means such officer of the Northern Ireland Court Service as the Lord Chancellor may designate to be the Juries Officer for that division.”

In Article 4(2) for the words from the beginning to " area who " substitute the words "The Chief Electoral Officer shall arrange to be sent to the Juries Officer for each division a list of those persons selected who reside in the division and the Juries Officer

In Article 4(3)(b), (6) (where it first occurs) and (9)(c) and Article 5(3) for the word " area " substitute the word " division ".

In Article 4(4) and (5) for the words " Area Provisional Jurors List" substitute the words " list referred to in paragraph (2) ".

In Articles 4(5), (6) and (7) and 5(3) and (4) for the word " Area " wherever it occurs substitute the word " Divisional ".

In Schedule 2—

- (a) at the end of the entry relating to officers of the Northern Ireland Office add the words " and officers of the Lord Chancellor's Office certified by the Lord Chancellor to be so engaged ".
- (b) after that entry insert—
“Members of the Northern Ireland Court Service.”;
- (c) after the entry relating to members and staff of the Police Authority for Northern Ireland insert—
“Members and staff of the Police Complaints Board for Northern Ireland”;
- (d) after the entry relating to persons in the Northern Ireland Civil Service insert—
“The Chief Electoral Officer for Northern Ireland and persons appointed to assist him.”.

The Administration of Justice (Northern Ireland) Order 1975

In Article 8(2) for the words " Secretary of State, on the recommendation of" substitute the words " Lord Chancellor, after consultation with " and for the words " Secretary of State " substitute the words " Lord Chancellor ".

The Treatment of Offenders (Northern Ireland) Order 1976

In Articles 2(3), 5(3)(a), 9(3)(b), 9(5), 9(7), 10(2)(b), 10(3), 14(6), 15(1) and 15(3) for the words " a court of assize or county court " wherever they occur substitute the words " the Crown Court ".

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

In Article 3(4) for the words " a court of assize or a county court " substitute the words " the Crown Court ".

In Article 3(5) for the words " to a court under paragraph (4), that court" substitute the words " under paragraph (4), the Crown Court ".

In Article 5(1)(b) for the words " or county borough " substitute the words " court division ".

In Article 5(3)(b) for the words "the court referred to in sub-paragraph (a)" substitute the words " the Crown Court ".

In Article 5(4) for the words " such court of assize or county court as it considers convenient" substitute the words " the Crown Court ".

In Articles 9(3)(b), 9(4), 10(2) and 10(3) for the words " the court of assize or county court, as the case may be " wherever they occur substitute the words " the Crown Court ".

In Article 9(4) for the words " that court of assize or county court" substitute the words " the Crown Court ".

In Article 14(1) for the words " a court of assize, a county court" substitute the words " the Crown Court ".

In Article 15(3) for the words " the court of assize or county court" substitute the words " the Crown Court " and for the words " the court of assize or county court, as the case may be " substitute the words " that court ".

The Solicitors (Northern Ireland) Order 1976

In Articles 15(1), 37(2), 64(1)(a) and 64(2), for the words " Supreme Court" substitute the words " High Court or the Court of Appeal ".

In Article 75(3) for the words " section 7 of the Northern Ireland Act 1962" substitute " section 55 of the Judicature (Northern Ireland) Act 1978 ".

In Article 81(a) for the words " the Court of Criminal Appeal" substitute the words " the Crown Court ".

The Sexual Offences (Northern Ireland) Order 1978

In Articles 6(2) and 8(3) for the words " county court or of the High Court " substitute the words " Crown Court ".

In Articles 6(4) and 7(2) for the words " Court of Criminal Appeal" wherever they occur substitute the words " Court of Appeal ".