



# Northern Ireland Act 1962

## 1962 CHAPTER 30

### *Miscellaneous Provisions*

#### **22 Land purchase matters**

- (1) The continuance of the reservation for the purposes of the Government of Ireland Act, 1920, by paragraph (b) of the Second Schedule to the Northern Ireland Land Purchase (Winding Up) Act, 1935, of the matter of the vesting of land under the Acts relating to land purchase shall not be construed so as to prevent the Parliament of Northern Ireland from making a law for validating or perfecting, or providing for validating or perfecting, orders or other instruments for the vesting of land in Northern Ireland made by the Irish Land Commission or the Land Purchase Commission, Northern Ireland, which are invalid or imperfect or whose validity or perfection is doubtful.
- (2) The functions which, before the passing of the said Act of 1935, were exercisable by the Land Purchase Commission, Northern Ireland, under the provisions of schemes framed for purposes specified in section four of the Irish Land Act, 1903, in connection with the sale of land in Northern Ireland under the Land Purchase Acts (not being schemes framed under section twenty of the said Act of 1903) and, by virtue of subsection (1) of section six of the said Act of 1935, became exercisable by the Treasury shall be transferred to and exercised by the Ministry of Finance for Northern Ireland.

#### **23 Amendment of Merchant Shipping Act, 1894, as to compensation for plundering wrecked, and c, vessel or its cargo**

- (1) Section five hundred and fifteen of the Merchant Shipping Act, 1894 (compensation for plundering, damaging or destroying vessel wrecked, stranded or in distress or its cargo or apparel) shall be amended by substituting, for the words from " In Ireland " to the end, the words " In Northern Ireland, in pursuance of an application in that behalf to the county court", but no compensation shall be made in Northern Ireland under that section unless the aggregate amount of the plunder, damage or destruction exceeds twenty pounds.

- (2) Subsection (1) of section four of the Criminal Injuries Act (Northern Ireland), 1956 (which empowers a county court, in determining an application for compensation under that Act, to reduce the amount of compensation which it would otherwise award by such sum as it thinks just and equitable having regard to the general conduct in the circumstances of the person suffering the damage, including, in particular, his conduct as respects any precautions which might reasonably have been taken by him to avoid the damage) shall have effect in relation to an application made in Northern Ireland by virtue of this section as it has effect in relation to an application under that Act but with the substitution, for references to the damage, of references to the plunder, damage or destruction to which the application relates and, for the reference to compensation under that Act, of a reference to compensation under the said section five hundred and fifteen.
- (3) The said section five hundred and fifteen shall, in its application to Northern Ireland, be subject to the like restrictions with respect to the making thereunder of compensation for plunder, damage or destruction as those to which the said Act of 1956 is, by virtue of subsections (2), (3) and (5) of section four thereof, subject with respect to the payment under that Act of compensation for damage, and those subsections shall apply accordingly with requisite modifications.
- (4) Sections five to nine of the said Act of 1956 shall have effect in relation to an application made in Northern Ireland by virtue of this section and to matters consequential on the making of such an application as they have effect in relation to an application under that Act and to matters consequential on the making of such an application subject, however, to the following modifications:—
- (a) for references to the damage to which the application relates there shall be substituted references to the plunder, damage or destruction to which it relates; and
  - (b) subsection (1) of section five shall have effect as if, at the end thereof, there were added the words " or, in a case where the plunder, damage or destruction or the greater part thereof occurred outside a county, against the council of the county nearest to the place where it occurred " .

## **24 Backing warrants issued in Northern Ireland for execution in England, and c, and vice versa**

- (1) For the purpose of adding to the number of persons whose indorsement, in due form, of a warrant issued in Northern Ireland enables it under section twenty-seven of the Petty Sessions (Ireland) Act, 1851, to be executed in England, Wales, Scotland, the Isle of Man or the Channel Islands and whose indorsement, in due form, of a warrant issued in any of the last-mentioned countries enables it, under section twenty-nine of that Act, to be executed in Northern Ireland, that Act shall be amended as follows:—
- (a) in section twenty-seven, in paragraph 3, for the words " in like manner as before " there shall be substituted the words " or for a county inspector ", and for the words " either of the inspector or deputy inspector general " there shall be substituted the words " of the inspector general, deputy inspector general or county inspector ";
  - (b) in section twenty-nine, after the words " deputy inspectors general ", there shall be inserted the words " or for a county inspector ";
  - (c) in section forty-four (interpretation), after the word " prosecutor ", there shall be inserted the words " the words ' county inspector ' shall include a

commissioner of police for a county borough in Northern Ireland and an officer of the Royal Ulster Constabulary having the rank of county inspector".

- (2) This section shall extend to the Isle of Man and the Channel Islands.

## **25 Cesser of payment of certain lines and forfeitures imposed in Northern Ireland into United Kingdom Exchequer**

- (1) The following provisions shall have effect for the purpose of securing that the proceeds of fines imposed and forfeitures incurred upon the conviction of a person in Northern Ireland under the enactments relating to merchant shipping shall no longer be paid into the Exchequer of the United Kingdom:—

- (a) paragraph (a) of subsection (2) of section six hundred and ninety-nine of the Merchant Shipping Act, 1894 (payment into the Exchequer of the United Kingdom of fines recovered therein under that Act) shall have effect as if, for the words " the United Kingdom ", there were substituted the words " Great Britain ";
- (b) where a person is convicted in Northern Ireland of an offence under paragraph (a) of section two hundred and twenty-one (desertion from British ship) of the said Act of 1894 or under paragraph (a) of subsection (1) of section three hundred and seventy-six (desertion from fishing boat) of that Act, the balance of the proceeds of any forfeiture incurred under the paragraph in question which remains after making such reimbursement as is mentioned in, as the case may be, subsection (1) of section two hundred and thirty-two or section three hundred and seventy-eight of that Act shall, instead of being paid into the Exchequer of the United Kingdom, be applied as if it were a fine imposed on summary conviction in Northern Ireland for an offence against that Act, and so much of the last-mentioned section as relates to the powers of the court to make orders with respect to the application of effects and wages forfeited and of the proceeds of effects forfeited which do not consist of money shall be construed accordingly;
- (c) subsection (4) of section thirty-three of the Merchant Shipping (Safety Convention) Act, 1949, shall cease to have effect.

- (2) For the purpose of securing that fines and other penalties imposed in Northern Ireland under the enactments specified in the first column of the Second Schedule to this Act shall no longer be paid into the Exchequer of the United Kingdom, there shall be made the amendments respectively specified in relation thereto in the second column of that Schedule.

## **26 Increase of compensation payable to certain Irish officers**

- (1) The Eighth Schedule (compensation of existing Irish officers) to the Government of Ireland Act, 1920, shall, as respects any period after the passing of this Act, have effect, and, as respects the period beginning with the first day of October, nineteen hundred and forty-nine, and ending with the passing of this Act, be deemed to have had effect, as if.—
- (a) in Head B of Part I of the Rules therein set out, there had been substituted the words " three quarters " for the words " two thirds " ; and
  - (b) in Head C of that Part, there had, in the application of that Head to an officer falling under the said Head B, been substituted the words " nine sixteenths "

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

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for the words " one half" and the words " twenty-seven sixteenths of " for the words " one and a half times ".

- (2) In so far as it relates to any period before the ninth day of July, nineteen hundred and fifty-nine (being the date of the passing of the Pensions (Increase) Act, 1959), this section shall be deemed for the purposes of the Pensions (Increase) Act, 1956, and the said Act of 1959 to have been in force immediately before the passing of the first of them.
- (3) Any increase attributable to this section in the sums which, under subsection (4) of section fifty-five of the said Act of 1920 or section eight of the Pensions Commutation Act, 1871, are payable out of moneys provided by Parliament shall be defrayed out of moneys so provided, and any increase attributable to this section in any sums which, under section eleven of the said Act of 1871, are payable out of the Consolidated Fund of the United Kingdom shall be defrayed out of that Fund.

## **27 Interpretation, in relation to Northern Ireland, of certain expressions when used in Acts of the Parliament of the United Kingdom**

In the application to Northern Ireland of any Act of the Parliament of the United Kingdom (whether passed before or after, or at the same time as, the passing of this Act) the expressions " court of summary jurisdiction ", " summary conviction " and " Summary Jurisdiction Acts " shall have the same meanings respectively as in enactments of the Parliament of Northern Ireland.

## **28 Cesser of obsolete, unnecessary or spent enactments**

- (1) Whereas section fourteen (payment where partially damaged land is compulsorily acquired) of the War Damage Act, 1943, has, by virtue of the Northern Ireland (Compensation for Compulsory Purchase) Act, 1957, and the Acquisition of War-Damaged Land (Compensation) Act (Northern Ireland), 1957, been annulled so far as it applies to Northern Ireland, except in relation to acquisitions there to which its application is no longer required:

Now, therefore, the said section fourteen (so far as it applies to Northern Ireland) and the said Acts of 1957 shall cease to have effect.

- (2) Whereas the enactments mentioned in the first and second columns of the Third Schedule to this Act have, to the extent respectively specified in relation thereto in the third column of that Schedule, become obsolete, unnecessary or spent, whether by lapse of time, or by reason of its having become lawful for rules of court to regulate or provide for the matters thereby dealt with, or otherwise:

Now, therefore, the said enactments shall cease to have effect to the extent aforesaid.