
STATUTORY INSTRUMENTS

1973 No. 2163

NORTHERN IRELAND

**The Northern Ireland (Modification
of Enactments—No. 1) Order 1973**

Laid before Parliament in draft

Made - - - - 19th December 1973

Coming into Operation 1st January 1974

At the Court at Buckingham Palace, the 19th day of December 1973

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by sections 39 and 41(2) of the Northern Ireland Constitution Act 1973, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Northern Ireland (Modification of Enactments—No. 1) Order 1973 and shall come into operation on the appointed day.

(2) In this Order, unless the contrary intention appears—

“the appointed day” means the day on which Part II of the Constitution Act comes into force;

“the Assembly” means the Northern Ireland Assembly;

“the Constitution Act” means the Northern Ireland Constitution Act 1973;

“enactment” includes an enactment of the Parliament of Northern Ireland;

“General Order” means the General Adaptation of Enactments (Northern Ireland) Order 1921(1);

“Governor” means the Governor of Northern Ireland;

“statutory rule” has the same meaning as in the Statutory Rules Act (Northern Ireland) 1958;

“Taxes Order” means the Government of Ireland (Adaptation of the Taxing Acts) Order 1922(2);

(1) (Rev.XVI, p. 967; 1921, p. 422)

(2) (Rev. XVI, p. 978; 1922, p. 701)

“transferor” and “transferee” respectively mean the person from and to whom any functions are transferred under any provision of this Order.

(3) Any reference in this Order to any enactment is a reference to that enactment as amended by, and includes a reference to that enactment as extended or applied by, any other enactment.

(4) In this Order, any reference to an enactment is a reference to that enactment as it has effect in Northern Ireland.

(5) In this Order any reference to an instrument made under an enactment includes a reference to an instrument having effect under that enactment.

(6) Any reference in Schedule 5 to any provision is a reference to that provision as it would have had effect if Schedule 5 to the Constitution Act had not been enacted.

(7) In this Order, unless the context otherwise requires, any reference to a numbered Article, Schedule or paragraph is a reference to the Article, Schedule or paragraph bearing that number in this Order or in the Article in question, as the case may require.

(8) The Interpretation Act 1889 shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(9) Except so far as it repeals any provision of the House of Commons Disqualification Act 1957 in its application to the House of Commons of the United Kingdom, this Order extends to Northern Ireland only.

Transfer of certain functions to Secretary of State

2.—(1) Subject to Article 3, the functions, immediately before the appointed day, of the Minister or Ministry of Home Affairs for Northern Ireland under the enactments specified in Schedule 1 and under any instrument made under any such enactment are hereby transferred to the Secretary of State.

(2) The Secretary of State, as well as the Department of Home Affairs, may exercise functions under sections 147, 167 and 168 of the Children and Young Persons Act (Northern Ireland) 1968.

(3) The functions, immediately before the appointed day, of the Ministry of Commerce for Northern Ireland under section 59 of the Explosives Act 1875 are hereby transferred to the Secretary of State.

(4) The Secretary of State, as well as a head of a Northern Ireland department, may exercise functions under section 11(3) of the Parliamentary Commissioner Act (Northern Ireland) 1969 and section 12(3) of the Commissioner for Complaints Act (Northern Ireland) 1969.

(5) The functions, immediately before the appointed day, of the Privy Council of Northern Ireland are hereby transferred to the Secretary of State.

Transfer of functions relating to appointment of judges and other judicial matters

3.—(1) The functions, immediately before the appointed day, of the Minister or Ministry of Home Affairs for Northern Ireland under the enactments specified in Schedule 2 and under any instrument made under any such enactment are hereby transferred to the Lord Chancellor.

(2) Any reference in the enactments specified in Schedule 2 and in any instrument made under any such enactment to the Governor of Northern Ireland, as respects functions to be discharged by him, shall be construed as a reference to the Lord Chancellor.

Transfer of functions in relation to death duties, stamp duties and certain excise duties

4.—(1) Except as otherwise expressly provided in this Order, the functions, immediately before the appointed day, of the Minister or Ministry of Finance for Northern Ireland under any enactment relating to death duty or stamp duty are hereby transferred to the Commissioners of Inland Revenue.

(2) The functions, immediately before the appointed day, of the Minister or Ministry of Finance for Northern Ireland under the Customs and Excise Act 1952 and under any enactment relating to general betting duty, pool betting duty or duty on gaming machine licences are hereby transferred to the Commissioners of Customs and Excise.

(3) The power to make regulations under Schedule 2 or Part III of Schedule 3 to the Miscellaneous Transferred Excise Duties Act (Northern Ireland) 1972 shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of the House of Commons, and the Statutory Instruments Act 1946 shall apply accordingly.

(4) In paragraph (1) “death duty” includes estate duty, legacy duty and succession duty.

Transfer of functions relating to certain financial matters

5.—(1) The following functions, immediately before the appointed day, of the Minister or Ministry of Finance for Northern Ireland under the enactments specified in Schedule 1 and 2 and under any instrument made under any such enactment are hereby transferred to the Minister for the Civil Service:—

- (a) functions with respect to the appointment or employment (including determination of numbers) of any persons or to their continuation in or removal from office or employment;
- (b) functions with respect to the determination of remuneration and the times of paying it or to the determination of conditions of service, personal expenses or allowances;
- (c) functions with respect to pensions, allowances, gratuities and other like benefits payable to or in respect of any persons.

(2) The other functions, immediately before the appointed day, of the Minister or Ministry of Finance for Northern Ireland under those enactments and instruments are hereby transferred to the Treasury.

(3) The functions, immediately before the appointed day, of the Minister or Ministry of Finance for Northern Ireland under the enactments specified in Schedule 3 are hereby transferred to the Treasury.

(4) The functions, immediately before the appointed day, of the Ministry of Finance for Northern Ireland under subsection (2) of section 1 of the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969 are hereby transferred to the Minister for the Civil Service as respects an office such as is mentioned in subsection (4) of that section to which an enactment mentioned in paragraph (a) or (b) of that subsection applies.

Transfer of functions relating to Comptroller and Auditor General for Northern Ireland and amendment of certain enactments relating to accounts, etc

6.—(1) The functions, immediately before the appointed day, of the Comptroller and Auditor General for Northern Ireland under the enactments specified in Schedule 4 are hereby transferred to the Comptroller and Auditor General in so far as those functions relate to accounts or statements as respects any period falling after the appointed day.

(2) A clerk of the Crown and peace shall keep the accounts referred to in section 101 of the County Courts Act (Northern Ireland) 1959 separately in relation to so much of the financial year ending in 1974 as relates to the period ending with the appointed day and as relates to the period beginning with the appointed day and ending with the expiration of that financial year.

(3) In section 12 of the Legal Aid and Advice Act (Northern Ireland) 1965 any reference to a financial year shall be construed, in relation to the financial year ending in 1974, as a reference to the period between the beginning of that financial year and ending immediately before the appointed day and the period beginning with that day and ending with the expiration of that financial year.

(4) In section 7 of the Judgments (Enforcement) Act (Northern Ireland) 1969 any reference to a financial year (except the first reference in subsection (4)) shall be construed, in relation to the financial year ending in 1974, as a reference to the period between the beginning of that year and ending immediately before the appointed day and the period beginning with that day and ending with the expiration of that financial year.

(5) In section 29 of the Police Act (Northern Ireland) 1970 the reference to a financial year shall be construed, in relation to the financial year ending in 1974, as a reference to the period between the beginning of that year and ending immediately before the appointed day and the period beginning with that day and ending with the expiration of that financial year.

(6) The Comptroller and Auditor General for Northern Ireland or, as the case may be, a Northern Ireland department shall not lay before the Assembly—

- (a) a statement (or a report relating thereto) mentioned in section 12(5) of the Legal Aid and Advice Act (Northern Ireland) 1965;
- (b) a statement mentioned in section 7 of the Judgments (Enforcement) Act (Northern Ireland) 1969;
- (c) copies of the statements mentioned in section 29 of the Police Act (Northern Ireland) 1970;
- (d) copies of the accounts and reports mentioned in section 3 of the Northern Ireland (Financial Provisions) Act 1972,

which deals or deal with a financial year falling before the appointed day or such part of a financial year as falls before that day.

Transfer of functions of chief crown solicitor

7. The functions, immediately before the appointed day, of the Chief Crown Solicitor for Northern Ireland under any enactment and under any instrument made under an enactment are hereby transferred to the Crown Solicitor for Northern Ireland.

Parliamentary control of certain statutory rules

8.—(1) No instrument made, whether before or after the appointed day, under an enactment mentioned in Article 4 or specified in Schedule 1, 2 or 3 shall be laid before the Assembly, or be liable to annulment or capable of being revoked in pursuance of a resolution, motion or address of the Assembly and no draft of an instrument shall, under such an enactment, be so laid nor shall any proceedings be taken in the Assembly with respect to a draft of such an instrument.

(2) Where, under any enactment mentioned in Article 4 or specified in Schedule 1, 2 or 3—

- (a) it is a condition, before an instrument can be made, or for the coming into operation of an instrument, that a resolution or motion has been passed or address presented by the Assembly or that a draft of the instrument has been laid before it; or
- (b) an instrument ceases to have effect unless such a resolution or motion is passed or such an address is presented,

the instrument may be made or come into operation, or shall not cease to have effect, as the case may be, notwithstanding that any such resolution, motion or address has not been passed or presented.

(3) Any instrument made after the appointed day in relation to which paragraph (1) or (2) has effect shall—

- (a) if, but for paragraph (1), it would have been laid before the Assembly without being subject to any proceedings there, be laid before Parliament; and

- (b) in any other case, 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) No statutory rule which is made before the appointed day which would, but for this paragraph, have been liable to be annulled or capable of being revoked in pursuance of a resolution, motion or address of the Assembly shall be so annulled or revoked.

(5) Where under any enactment mentioned in Article 4 or specified in Schedule 1, 2 or 3 or an instrument made under such an enactment—

- (a) anything done or any instrument made by the transferee requires any approval, consent, recommendation or other authorisation of the Head of the Department of Finance for Northern Ireland or that Department; or

(b) the transferee is required to consult that Head or Department before taking any step, the thing may be done, instrument made or step taken without any such approval, consent, recommendation, authorisation or consultation.

Making of certain subordinate legislation by statutory instrument

9.—(1) Any power to make orders or regulations conferred by an enactment specified in paragraph (2) shall be exercisable by statutory instrument and the Statutory Instruments Act 1946 shall apply accordingly.

(2) The enactments referred to in paragraph (1) are the following, namely:—

section 9 of the Finance Act (Northern Ireland) 1936;

section 27(3) of the Finance (No. 2) Act (Northern Ireland) 1946;

section 1 of the Finance Act (Northern Ireland) 1963;

section 1(2) of the Finance Act (Northern Ireland) 1970; and the Vehicles (Excise) Act (Northern Ireland) 1972.

Transfer of certain property etc

10.—(1) With any functions transferred by this Order to the transferee there shall, on the appointed day, be transferred to him, without further assurance, all property, rights and liabilities to which the transferor is entitled or subject in connection with those functions immediately before the appointed day.

(2) The transferee may give such directions extending or restricting the operation of paragraph (1) as he may consider expedient—

- (a) for the purpose of making minor adjustments of the property, rights and liabilities transferred by virtue of that paragraph;

- (b) for the purpose of removing uncertainty as to the application of that paragraph to any property, rights or liabilities;

and a direction under this paragraph may in particular provide for dividing or apportioning any property, rights or liabilities between the transferor and the transferee.

(3) Subject to paragraph (4), a certificate issued by the transferee to the effect that any property of the transferor which is specified in the certificate was, or was not, transferred to him by virtue of paragraph (1), or that any rights or liabilities of the transferor so specified were, or were not, so transferred shall be conclusive evidence of the matters stated in the certificate.

(4) The issue of a certificate under paragraph (3) shall not prevent a subsequent direction being given under paragraph (2) in relation to any property, rights or liabilities to which the certificate refers.

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(5) A direction shall not be given under paragraph (2) after the end of the period of two years beginning with the appointed day.

(6) In the application of this Article to a transferee other than the Secretary of State, any reference to property shall be omitted.

Supplemental

11.—(1) Paragraphs (2) to (6) shall have effect in connection with the transfer of any functions by this Order.

(2) This Order shall not affect the validity of anything done by or in relation to the transferor before the appointed day.

(3) Anything which, immediately before the appointed day, is in process of being done by or in relation to the transferor (including, in particular, any legal proceedings to which the transferor is a party) may, if it relates to any functions, property, rights or liabilities transferred by this Order be continued by or in relation to the transferee.

(4) Any authorisation given (by way of approval or otherwise), requirement imposed or appointment made by the transferor in connection with any functions transferred by this Order shall, if in force on the appointed day, have effect as if given, imposed or made by the transferee in so far as that is required for continuing its effect after that day.

(5) Any enactment, instrument or agreement passed or made before the appointed day shall have effect, so far as may be necessary for the purpose or in consequence of the transfers effected by this Order, as if any reference to the transferor or an officer of the transferor (including a reference which is to be construed as such a reference) were a reference to the transferee or an officer of the transferee, as the case may require.

(6) Documents or forms printed or duplicated for use in connection with any functions transferred by this Order may be so used notwithstanding that they contain references to the transferor or an officer of the transferor and those references shall be construed as references to the transferee or an officer of the transferee, as the case may be.

(7) Where—

- (a) by virtue of section 7(5) of the Constitution Act, a Ministry of Northern Ireland becomes a Northern Ireland department; and
- (b) that department has not a seal;

the seal of that Ministry may, until the department is provided with a seal, be used for any purpose as if it were the seal of that department.

Application of Documentary Evidence Act 1868 to chief executive member

12. The Documentary Evidence Act 1868, as amended by the Documentary Evidence Act 1882, shall apply to the chief executive member of the Northern Ireland Executive as if he were mentioned in column 1 of the Schedule to the first-mentioned Act, and as if he or any person authorised by him to act on his behalf were mentioned in column 2 of that Schedule, and as if the regulations referred to in that Act included any document issued by the chief executive member.

Administration of oath under Constitution Act

13. The oath or affirmation set out in Schedule 4 to the Constitution Act shall be administered by such person as the Secretary of State may determine.

Amendments and repeals

14.—(1) The enactments set out in Schedule 5 shall have effect subject to the amendments specified in that Schedule.

(2) The enactments set out in columns 1 and 2 of Schedule 6 are hereby repealed to the extent specified in column 3 of that Schedule.

(3) Where Schedule 5 amends any provision by substituting a Minister or Department for a Minister or Ministry of Northern Ireland, the amendment shall, for the purposes of this Order, be construed as if it effected the transfer of the functions of the Minister or Ministry of Northern Ireland under that provision.

(4) Notwithstanding anything in Schedule 5 or 6, any person who, immediately before the appointed day, is a person referred to in paragraph (5) shall hold his office on the same tenure as that by which the office is held immediately before the appointed day, with the substitution of an address from both Houses of the Parliament of the United Kingdom for an address from both Houses of the Parliament of Northern Ireland.

(5) The said persons are—

- (a) a member of the Lands Tribunal for Northern Ireland;
- (b) a county court judge in Northern Ireland;
- (c) a resident magistrate in Northern Ireland;
- (d) the chief electoral officer for Northern Ireland.

W.G. Agnew

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SCHEDULE 1

Articles 2(1), 5(1)(2), 8

ACTS RELATING TO FUNCTIONS TRANSFERRED TO SECRETARY OF STATE

Acts of the Parliament of the United Kingdom

The Unlawful Drilling Act 1819 (c. 1 (60 Geo. 3 & 1 Geo. 4)).
 Section 3 of the Sheriffs (Ireland) Act 1835 (c. 55).
 Sections 17 and 24 of the Constabulary (Ireland) Act 1836 (c. 13).
 The proviso to section 9 of the Fines (Ireland) Act 1851 (c. 90).
 Paragraph 8 of section 19 of the Summary Jurisdiction (Ireland) Act 1851 (c. 92).
 Section 30 of the Petty Sessions (Ireland) Act 1851 (c. 93).
 The Capital Punishment Amendment Act 1868 (c. 24).
 The Explosives Act 1875 (c. 17).
 Section 7 of the Juries Procedure (Ireland) Act 1876 (c. 78).
 Section 12 of the Criminal Law and Procedure (Ireland) Act 1887 (c. 20).
 The Police (Property) Act 1897 (c. 30).
 Section 9 of the Prevention of Crime Act 1908 (c. 59).
 The Resident Magistrates (Belfast) Act 1911 (c. 58).
 The Constabulary and Police (Ireland) Act 1919 (c. 68).
 The Official Secrets Act 1920 (c. 75).
 Section 87 of the Mental Health Act 1959 (c. 72).
 Section 79 of the Mental Health (Scotland) Act 1960 (c. 61).
 The Criminal Justice Act 1961 (c. 39).
 The Criminal Appeal (Northern Ireland) Act 1968 (c. 21).
 Part V of the Social Work (Scotland) Act 1968 (c. 49).
 Section 25(2) of the Children and Young Persons Act 1969 (c. 54).
 Section 4(5)(b) of the Police Act 1969 (c. 63).
 Sections 1 and 25 of the Northern Ireland (Emergency Provisions) Act 1973 (c. 53).

Acts of the Parliament of Northern Ireland

The Constabulary Act (Northern Ireland) 1922 (c. 8 (N.I.)).
 The Explosives Act (Northern Ireland) 1924 (c. 5 (N.I.)).
 Section 2(2) of the Noxious Weeds Act (Northern Ireland) 1929 (20 Geo. 5 c. 3 (N.I.)).
 The Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 (c. 13 (N.I.)).
 The Civil Defence Act (Northern Ireland) 1939 (c. 15 (N.I.)).
 The Probation Act (Northern Ireland) 1950 (c. 7 (N.I.)).
 The Civil Defence Act (Northern Ireland) 1950 (c. 11 (N.I.)).
 The Public Order Act (Northern Ireland) 1951 (c. 19 (N.I.)).
 Section 77(2) of the Foyle Fisheries Act (Northern Ireland) 1952 (c. 5 (N.I.)).
 The Criminal Justice Act (Northern Ireland) 1953 (c. 14 (N.I.)).
 The Prison Act (Northern Ireland) 1953 (c. 18 (N.I.)).
 The Juries Act (Northern Ireland) 1953 (c. 19 (N.I.)).

The Administration of Justice Act (Northern Ireland) 1954 (c. 9 (N.I.)).

The Malone and Whiteabbey Training Schools Act (Northern Ireland) 1956 (c. 4 (N.I.)).

The Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)).

The County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.)).

The Mental Health Act (Northern Ireland) 1961 (c. 15 (N.I.)).

The Electoral Law Act (Northern Ireland) 1962 (c. 14 (N.I.)).

The Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.)).

The Legal Aid and Advice Act (Northern Ireland) 1965 (c. 8 (N.I.)).

Section 203 of the Fisheries Act (Northern Ireland) 1966 (c. 17 (N.I.)).

The Criminal Injuries to Persons (Compensation) Act (Northern Ireland) 1968 (c. 9 (N.I.)).

The Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10 (N.I.)).

The Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.)).

In the Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))—

- (a) sections 51(1A), 68(2), 73, 78, 85(1A) to (1C), 132, 134, 135, 137 to 141, 150, 154(1), 173(3), 178(3), in Schedule 2, paragraphs 6 and 8 (except subparagraph (a)), in Schedule 3, paragraphs 11, 12, 13(d), Schedule 5;
- (b) so far as they relate to children and young persons found guilty of offences, sections 53, 89(3) to (5), 90, 142 to 145, 156(4), 158(2), 159(1), 160;
- (c) so far as it relates to an appeal under section 132, paragraph 6 of Schedule 4.

The Firearms Act (Northern Ireland) 1969 (c. 12 (N.I.)).

The Judgments (Enforcement) Act (Northern Ireland) 1969 (c. 30 (N.I.)).

The Public Order (Amendment) Act (Northern Ireland) 1970 (c. 4 (N.I.)).

The Police Act (Northern Ireland) 1970 (c. 9 (N.I.)).

The Explosives Act (Northern Ireland) 1970 (c. 10 (N.I.)).

The Printed Documents Act (Northern Ireland) 1970 (c. 30 (N.I.)).

Section 51 of the Licensing Act (Northern Ireland) 1971 (c. 13 (N.I.)).

Section 11 of the Aerodromes Act (Northern Ireland) 1971 (c. 15 (N.I.)).

The Criminal Injuries to Property (Compensation) Act (Northern Ireland) 1971 (c. 38 (N.I.)).

Section 11 of the Pensions (Increase) Act (Northern Ireland) 1971 (c. 35 (N.I.)).

The Vehicles (Excise) Act (Northern Ireland) 1972 (c. 10 (N.I.)).

Orders in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972 (c. 22)

The Explosives (Northern Ireland) Order 1972.

The Electoral Law (Northern Ireland) Order 1972.

The Firearms (Amendment) (Northern Ireland) Order 1973.

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SCHEDULE 2

Articles 3, 5(1)(2), 8

ACTS RELATING TO FUNCTIONS TRANSFERRED TO THE LORD CHANCELLOR

Section 2 (so far as it relates to the appointment and removal of coroners and deputy coroners) of the Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)).

Sections 107, 116, 132 and 134 (so far as it relates to county court judges) of the County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.)).

The Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c. 2 (N.I.)).

Sections 3, 4(3) and 8 of, and Schedule 1 to, the Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.)).

Sections 1(2), 2(1) and (4) and 3 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.)).

Paragraphs 1(2) and (3) and 8 (so far as it relates to sub-paragraph (a) thereof) of Schedule 2 to the Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.)).

Schedule 3 to the Administration of Justice Act 1973 (c. 15).

SCHEDULE 3

Articles 5(3), 8

ACTS RELATING TO FUNCTIONS TRANSFERRED TO THE TREASURY

Acts of the Parliament of the United Kingdom

The proviso to section 9 of the Fines Act (Ireland) 1851 (c. 90).

Section 72 of the Explosives Act 1875 (c. 17).

Section 10(4) of the Customs and Inland Revenue Act 1880 (c. 14).

Section 15(2) of the Finance Act 1894 (c. 30).

Sections 29 and 34 of the Finance Act 1917 (c. 31).

Section 43 of the Finance Act 1921 (c. 32).

Acts of the Parliament of Northern Ireland

Section 9 of the Finance Act (Northern Ireland) 1924 (c. 19 (N.I.)).

Section 2 of the Finance Act (Northern Ireland) 1931 (c. 24 (N.I.)).

Section 7 of the Finance Act (Northern Ireland) 1936 (c. 33 (N.I.)).

Sections 20(5), 32(1)(b), 33(2), 34(3), 35(3), 39(2) and 49(5) and (6) of the Civil Defence Act (Northern Ireland) 1939 (c. 15 (N.I.)).

Section 7(1) of the Finance Act (Northern Ireland) 1940 (c. 20 (N.I.)).

Section 2(6) of the Finance Act (Northern Ireland) 1944 (c. 22 (N.I.)).

Section 6(1), (2), (4) and (7) of the Civil Defence Act (Northern Ireland) 1950 (c. 11 (N.I.)).

Section 8(1) of the Finance Act (Northern Ireland) 1951 (c. 17 (N.I.)).

Section 2 of the Finance Act (Northern Ireland) 1952 (c. 13 (N.I.)).

Section 20(1) of the Administration of Justice Act (Northern Ireland) 1954 (c. 9 (N.I.)).

Sections 98(1), 100(3), 101 and 136(d) of the County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.)).

Sections 3 and 4 of the Stock Transfer Act (Northern Ireland) 1963 (c. 24 (N.I.)).

In the Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10 (N.I.)), section 1(3) so far as it relates to costs to be defrayed under section 1(1) of that Act.

Section 11(3) of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (c. 28 (N.I.)).

Section 1(2) of the Finance Act (Northern Ireland) 1970 (c. 21 (N.I.)).

Sections 7(1) and 34(2) of the Vehicles (Excise) Act (Northern Ireland) 1972 (c. 10 (N.I.)).

Orders in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972 Article 6 of, and Schedule 1 to, the Finance (Northern Ireland) Order 1972.

SCHEDULE 4

Article 6(1)

ACTS RELATING TO FUNCTIONS TRANSFERRED TO COMPTROLLER AND AUDITOR GENERAL

Section 101 of the County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.)).

Section 12 of the Legal Aid and Advice Act (Northern Ireland) 1965 (c. 8 (N.I.)).

Section 7 of the Judgments (Enforcement) Act (Northern Ireland) 1969 (c. 30 (N.I.)).

Section 29 of the Police Act (Northern Ireland) 1970 (c. 9(N.I.)).

SCHEDULE 5

Article 14(1)

AMENDMENTS OF ACTS

Acts of the Parliament of the United Kingdom

1. In section 12 of the Sheriffs (Ireland) Act 1835, as originally enacted, for “the lord lieutenant” substitute “Her Majesty”.
2. In section 7 of the Stamp Duties (Ireland) Act 1842, as amended by Articles 4(1) and 6(1) of the General Order and Article 11 of the Taxes Order—
 - (a) for the first reference to the Minister of Finance for Northern Ireland substitute a reference to the Commissioners of Inland Revenue;
 - (b) for from “receipt” to the end of the words before the first proviso substitute “Consolidated Fund of the United Kingdom”;
 - (c) for the reference in the first proviso to the Minister of Finance for Northern Ireland substitute a reference to the Treasury.
3. In section 8 of the Capital Punishment Amendment Act 1868, as amended by Article 3 of the General Order, for references to the Parliament of Northern Ireland substitute references to the Parliament of the United Kingdom.
4. In section 6(12) of the Prevention of Crimes Act 1871, as originally enacted, for from “to such” to “Parliament” substitute “be paid out of money provided by the Parliament of the United Kingdom”.
5. In the Explosives Act 1875—

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- (a) in section 26, as originally enacted, for from “receipt” to “Fund” substitute “Consolidated Fund of the United Kingdom”;
 - (b) in section 57, as originally enacted, for “Parliament” substitute “the Parliament of the United Kingdom”;
 - (c) in section 62, as originally enacted, for “Parliament” substitute “Parliament of the United Kingdom”;
 - (d) in section 83, as amended by Article 3 of the General Order, for references to the Parliament of Northern Ireland substitute references to the Parliament of the United Kingdom;
 - (e) in section 103, as amended by Article 3 of the General Order, for references to the Parliament of Northern Ireland (except the last such reference) substitute references to the Parliament of the United Kingdom and the last such reference shall be construed as including a reference to the Parliament of the United Kingdom.
- 6.** In section 21 of the County Officers and Courts (Ireland) Act 1877, as amended by Articles 4(1) and 6(1) of the General Order, for any reference to the Exchequer of Northern Ireland and to the Minister of Finance for Northern Ireland substitute a reference to the Consolidated Fund of the United Kingdom and to the Treasury, respectively.
- 7.** In section 29 of the Customs and Inland Revenue Act 1881, as amended by Article 4 of the General Order and Article 11 of the Taxes Order, for the reference to the Ministry of Finance for Northern Ireland substitute a reference to the Treasury and for the reference to the Minister of Finance for Northern Ireland substitute a reference to the Commissioners of Inland Revenue.
- 8.** In the Criminal Law and Procedure (Ireland) Act 1887, as amended by Article 3 of the General Order, for any reference to the Parliament of Northern Ireland substitute a reference to the Parliament of the United Kingdom.
- 9.** In section 16 of the County Court Appeals (Ireland) Act 1889, as amended by Article 3 of the General Order, for the reference to the Parliament of Northern Ireland substitute a reference to the Parliament of the United Kingdom.
- 10.** In section 43(10) of the Criminal Justice Administration Act 1914, as amended by Article 3 of the General Order, for the reference to the Parliament of Northern Ireland substitute a reference to the Parliament of the United Kingdom.
- 11.** Section 1 of the Irish Police (Naval and Military Service) Act 1915, as amended by Articles 3 and 4 of the General Order, shall, in its application to the Royal Ulster Constabulary, have effect with the substitution of references to the Treasury for references to the Ministry of Finance for Northern Ireland and of a reference to the Parliament of the United Kingdom for the reference in subsection (5) to the Parliament of Northern Ireland.
- 12.** Article 16 of the Articles of Agreement for a Treaty between Great Britain and Ireland set out in the Schedule to the Irish Free State (Agreement) Act 1922 shall not apply to a Measure.
- 13.** Sections 48 to 51 of the Finance Act 1946 shall extend to Northern Ireland.
- 14.** In section 55 of the Representation of the People Act 1948—
- (a) in subsection (3), for “Parliament of Northern Ireland” substitute “Northern Ireland Assembly”;
 - (b) in subsection (4), for “either Parliament” substitute “the Parliament of the United Kingdom” and for “other Parliament” substitute “Northern Ireland Assembly”.
- 15.** In the Representation of the People Act 1949—

- (a) in sections 11(6) and 45(11)(a) for “House of Commons of Northern Ireland” substitute “Northern Ireland Assembly”;
- (b) in section 140(5) for “Parliament of Northern Ireland” substitute “Northern Ireland Assembly”;
- (c) in section 143(1)(a) after “Ireland” insert “or the Northern Ireland Assembly”.

16.—(1) Orders in Council made under section 1 of the Motor Vehicles (International Circulation) Act 1952 and any regulations made under such Orders may extend to Northern Ireland for the purpose of making provision with respect to vehicle excise duty or the registration of vehicles.

(2) Accordingly—

- (a) the references in section 1(1)(b) and 2(b) of that Act to Great Britain shall, in relation to such Orders or regulations as aforesaid which extend to Northern Ireland, be construed as including references to Northern Ireland;
- (b) in section 1 of that Act “enactment” shall be construed as including the Vehicles (Excise) Act (Northern Ireland) 1972;
- (c) an Order in Council under section 2 of that Act and regulations made under such an Order shall not make provision for any purpose for which an Order in Council or regulations mentioned in sub-paragraph (1) may extend to Northern Ireland.

17. In section 39(5) of the Plant Varieties and Seeds Act 1964 the reference to the Parliament of Northern Ireland shall be construed as including a reference to the Assembly.

18. In section 13(4) of the Parliamentary Commissioner Act 1967 for “Cabinet of Northern Ireland” substitute “Northern Ireland Executive” and for “that Cabinet” substitute “that Executive”.

19. In section 48A(5) of the Criminal Appeal (Northern Ireland) Act 1968 as inserted by section 63(3) of the Criminal Justice Act 1972 for “appropriated from the Exchequer of Northern Ireland” substitute “provided by Parliament”.

20. In the Post Office Act 1969—

- (a) in section 84(3) for “Parliament of Northern Ireland” substitute “Northern Ireland Assembly”;
- (b) in section 139(3) for “Minister of Home Affairs for Northern Ireland” and from “Minister or” to “of Northern Ireland” substitute “Secretary of State”.

21. In section 4(5)(b) of the Police Act 1969 for from “Minister” to “Northern Ireland” substitute “Secretary of State”.

22. In sections 14(2)(b) and 38(3)(b) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 for “the Parliament of Northern Ireland” substitute “Parliament”.

23. In paragraphs 4(3), 5, 9(3) and 10 of Schedule 1 to the Northern Ireland (Emergency Provisions) Act 1973 for “Ministry shall” substitute “Secretary of State may”.

Acts of the Parliament of Northern Ireland

24. In the Exchequer and Audit Act (Northern Ireland) 1921—

- (a) in section 28(1) (as amended by Schedule 3 to the Exchequer and Financial Provisions Act (Northern Ireland) 1950) for “the Governor of Northern Ireland” where first occurring substitute “Her Majesty”;
- (b) in section 28(6)(a) (as substituted by section 1(2) of the Administrative and Financial Provisions Act (Northern Ireland) 1958) for from “Speaker of the House” to “to the Senate” substitute “presiding officer of the Assembly”.

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25. In Schedule 3 to the Jury Laws Amendment Act (Northern Ireland) 1926, as amended by section 10(3) of the Juries Act (Northern Ireland) 1953—

- (a) for “Parliament of Northern Ireland” substitute “Assembly”;
- (b) for “Ministry of Home Affairs” substitute “Secretary of State”;
- (c) for “Minister of Home Affairs” substitute “him”;
- (d) for from “staff of Parliament” onwards substitute “staff of the Assembly”.

26. In the Civil Defence Act (Northern Ireland) 1939—

- (a) for any reference to moneys provided by Parliament substitute a reference to moneys provided by the Parliament of the United Kingdom;
- (b) in section 50—
 - (i) for any reference to the Ministry of Finance substitute a reference to the Secretary of State;
 - (ii) in subsection (3) for “Parliament” substitute “the Parliament of the United Kingdom”;
 - (iii) in subsection (4), for the first “Parliament” substitute “the Parliament of the United Kingdom” and after “as” insert “that”;
- (c) in section 74(1), in the definition of “appropriate department” (as originally enacted) for “Ministry of Commerce” substitute “Secretary of State”.

27. In section 4 of the Ministries Act (Northern Ireland) 1944—

- (a) for any reference to an Order in Council substitute a reference to an order;
- (b) in subsection (1) for “Governor of Northern Ireland” and “the said Governor” substitute “chief executive member” and “that member” respectively;
- (c) for subsection (5) substitute—

“(5) An order under this section shall be subject to negative resolution”.

28. In section 2(3) of the Indictments Act (Northern Ireland) 1945 for from “as soon” onwards, substitute “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”.

29. In section 24(3) of the Finance (No. 2) Act (Northern Ireland) 1946 for “the Ministry” substitute “Her Majesty”.

30. In section 14(1) of the Finance Act (Northern Ireland) 1948 after “Parliament” insert “or the Assembly”.

31. In section 7(1) of the Finance Act (Northern Ireland) 1949 after “Ministry” insert “or the Commissioners of Inland Revenue”.

32. In section 15(1) of the Probation Act (Northern Ireland) 1950 for “Parliament” substitute “the Parliament of the United Kingdom”.

33. In section 6 of the Civil Defence Act (Northern Ireland) 1950—

- (a) in subsections (2) and (4) for “Parliament” substitute “the Parliament of the United Kingdom”;
- (b) in subsection (4) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”.

34. In section 77(2)(a) of the Foyle Fisheries Act (Northern Ireland) 1952 for “Parliament” substitute “the Parliament of the United Kingdom”.

- 35.** In sections 5 and 43 of the Prison Act (Northern Ireland) 1953 for any reference to Parliament substitute a reference to the Parliament of the United Kingdom.
- 36.** In the Juries Act (Northern Ireland) 1953—
- (a) in sections 1(6) and 7(4) for “Parliament” substitute “the Parliament of the United Kingdom”;
 - (b) in section 10(3) for the first “Parliament” substitute “the Assembly”.
- 37.** In section 1(1) of the Finance (Miscellaneous Provisions) Act (Northern Ireland) 1954—
- (a) in paragraph (a) for “Ministry” substitute “Ministry of Finance or the Commissioners of Inland Revenue” and after “has” (in both places) insert “or have”;
 - (b) in paragraph (c), after “Ministry” insert “of Finance”; and
 - (c) for the last “Ministry” substitute “Treasury”.
- 38.** In the Administration of Justice Act (Northern Ireland) 1954—
- (a) in section 10(1) for from “charged on” to “recommendation of the Ministry” substitute “defrayed out of money provided by the Parliament of the United Kingdom such sums as the Secretary of State, with the approval of the Treasury”;
 - (b) in sections 18(2)(b), 19(2) and (4) for “Exchequer” substitute “Consolidated Fund of the United Kingdom” and for “Parliament” substitute “Parliament of the United Kingdom”;
 - (c) in section 20 for “Exchequer” (wherever occurring) substitute “Consolidated Fund of the United Kingdom”;
 - (d) in section 22, in subsections (1) and (2) for “Parliament” substitute “the Parliament of the United Kingdom” and in subsection (4) for “Exchequer” (twice) substitute “Consolidated Fund of the United Kingdom”;
 - (e) in section 26(6) for “Parliament” substitute “the Parliament of the United Kingdom”.
- 39.** In section 41 of the Interpretation Act (Northern Ireland) 1954—
- (a) in subsection (1), before the definition of “House of Commons” insert
“‘Assembly’ means the Northern Ireland Assembly”;
 - (b) in subsection (2) (as substituted by section 3 of the Legislative Procedure Act (Northern Ireland) 1968) for “House of Commons” (where first occurring) and “Parliament” substitute “Assembly” and for “Parliament” substitute “Assemblies”.
- 40.** In section 13 of the Malone and Whiteabbey Training Schools Act (Northern Ireland) 1956 for “Parliament” substitute “the Parliament of the United Kingdom”.
- 41.** In section 6(5) of the Finance Act (Northern Ireland) 1956 for “the Ministry” substitute “Her Majesty”.
- 42.** In the Statutory Rules Act (Northern Ireland) 1958—
- (a) in section 1(1)(a) for from “conferred” onwards substitute—
“conferred by—
 - (i) any Act of the Parliament of Northern Ireland (whether passed before or after the commencement of this Act), unless the power is expressed to be exercisable by statutory instrument;
 - (ii) any Measure of the Assembly, unless the power is expressed to be exercisable by statutory instrument;
 - (iii) any Act of the Parliament of the United Kingdom (whether passed before or after the commencement of this Act) passed before the appointed day within the meaning

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of the Northern Ireland Constitution Act 1973, if the power relates to any matter in respect of which the Parliament of Northern Ireland has power to make laws and is not expressed to be exercisable by statutory instrument;

(iv) any Act of the Parliament of the United Kingdom passed after that day, if the power is expressed to be exercisable by statutory rule for the purposes of this Act.”.

(b) for section 1(2)(a), substitute—

“(a) the chief executive member;

(aa) the Commissioners of Customs and Excise;

(ab) the Commissioners of Inland Revenue;

(ac) the Lord Chancellor;

(ad) the Minister for the Civil Service;

(ae) the presiding officer of the Assembly;

(af) the Secretary of State;

(ag) the Treasury;”;

(c) in section 4(1) for from “Speaker of the Senate” onwards substitute “presiding officer of the Assembly”;

(d) in section 7(1) for “either or both such Houses” substitute “the Assembly”.

43. In section 5 of the Coroners Act (Northern Ireland) 1959, for “Parliament” substitute “the Parliament of the United Kingdom”.

44. In the County Courts Act (Northern Ireland) 1959—

(a) in sections 100 and 101 for any reference to the Exchequer or the Consolidated Fund substitute a reference to the Consolidated Fund of the United Kingdom;

(b) for section 102(2) substitute—

“(2) Her Majesty may appoint as judges such qualified persons as may be recommended to Her by the Lord Chancellor”;

(c) for section 105(1) and (2) substitute—

“(1) The Lord Chancellor may, if he thinks fit, remove a judge from office on the ground of incapacity or misbehaviour”;

(d) for section 106(1) to (1B), as substituted by section 4(1) of the County Courts (Amendment) Act (Northern Ireland) 1964, substitute—

“(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”;

(e) in section 107 for any reference to the Governor or the Minister substitute a reference to the Lord Chancellor;

(f) in section 108(10), for “upon the recommendation of the Minister and” substitute “with the consent”;

(g) in section 136 after “Consolidated Fund” insert “of the United Kingdom”;

(h) in section 137 for “Parliament” substitute “the Parliament of the United Kingdom”;

(i) in section 138 for “Exchequer” substitute “Consolidated Fund of the United Kingdom”;

(j) in Part III of Schedule 2—

- (i) in paragraphs 1 and 3(2) for “Parliament” substitute “the Parliament of the United Kingdom”;
- (ii) in paragraphs 2 and 3(2) after “Fund” insert “of the United Kingdom”; and
- (iii) in paragraph 3(1) and (2) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”.

45. In the Resident Magistrates' Pensions Act (Northern Ireland) 1960—

- (a) in section 21(1) for from “defrayed” onwards substitute “charged on and paid out of the Consolidated Fund of the United Kingdom”; and
- (b) in section 21(2) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”.

46. In section 25 of the Mental Health Act (Northern Ireland) 1961 for “Parliament” substitute “the Assembly or of the Parliament of the United Kingdom”.

47. In the Electoral Law Act (Northern Ireland) 1962 (as amended, in particular, by the Electoral Law (Northern Ireland) Order 1972)—

- (a) in section 14—
 - (i) in subsection (4), in paragraph (c) for “Parliament of Northern Ireland” substitute “Assembly” and for “Parliament” (where it last occurs) substitute “the Parliament of the United Kingdom”;
 - (ii) in subsection (6) for from “an Order” onwards substitute “the Secretary of State with the consent of the Minister for the Civil Service”;
 - (iii) in subsection (8), after “Fund” insert “of the United Kingdom”;
- (b) in section 122 for “Parliament of Northern Ireland” (twice) substitute “Assembly”;
- (c) in section 128 for “Parliament” substitute “the Parliament of the United Kingdom”;
- (d) in Schedule 8, in paragraph 3(2) for “Parliament” substitute “the Parliament of the United Kingdom”.

48. In section 9(3) and (5) of the Finance Act (Northern Ireland) 1963 for “the Ministry” substitute “Her Majesty”.

49. In the Magistrates' Courts Act (Northern Ireland) 1964—

- (a) in section 9(1) for from the beginning to the second “time” substitute “Her Majesty may, on the recommendation of the Lord Chancellor”;
- (b) in section 11 for from “Governor” onwards substitute “Lord Chancellor”;
- (c) in section 12(1) for from the beginning to “prescribe” substitute “The Lord Chancellor may, with the consent of the Minister for the Civil Service, determine”;
- (d) in section 28(3) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”;
- (e) in section 152(2) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”;
- (f) in section 168(1) for “Parliament” substitute “the Parliament of the United Kingdom”;
- (g) after section 168(1) insert—

“(1A) 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.”;
- (h) in Schedule 1 for “our Governor (or Deputy Governor, as the case requires)” substitute “our Lord Chancellor” and for “GOVERNOR OF NORTHERN IRELAND” substitute “LORD CHANCELLOR”.

50. In the Lands Tribunal and Compensation Act (Northern Ireland) 1964—

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- (a) in section 1(2), for “Governor” substitute “Lord Chancellor”;
 - (b) in section 2(1)(c) before the first “his” insert “in”.
- 51.** In the Legal Aid and Advice Act (Northern Ireland) 1965—
- (a) in sections 11(6) and 15(2) and (3) for “Parliament” substitute “the Parliament of the United Kingdom”;
 - (b) section 12(5)(c) shall have effect, as respects a period beginning on or after the appointed day, with the substitution for “Parliament” of “Parliament of the United Kingdom”.
- 52.** In section 203(2)(a) of the Fisheries Act (Northern Ireland) 1966 for “Parliament” substitute “the Parliament of the United Kingdom”.
- 53.** In the Criminal Injuries to Persons (Compensation) Act (Northern Ireland) 1968—
- (a) in section 8(4)(b), the reference to moneys provided by Parliament and to a Ministry of Northern Ireland shall be construed as including a reference to moneys provided by the Parliament of the United Kingdom and to a department of the government of the United Kingdom, respectively;
 - (b) in section 9 for “Parliament” substitute “the Parliament of the United Kingdom”.
- 54.** In section 9 of the Costs in Criminal Cases Act (Northern Ireland) 1968 for “Parliament” substitute “the Parliament of the United Kingdom and any sum to be defrayed under this Act by a department of the Government of Northern Ireland shall be defrayed out of moneys appropriated by Measure”.
- 55.** In section 11(1) and (3) of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 for any reference to the Exchequer or the Consolidated Fund substitute a reference to the Consolidated Fund of the United Kingdom.
- 56.** In section 32 of the Treatment of Offenders Act (Northern Ireland) 1968 for “Parliament” substitute “the Parliament of the United Kingdom”.
- 57.** In the Children and Young Persons Act (Northern Ireland) 1968—
- (a) in section 88(3), the reference to moneys provided by Parliament shall, in relation to any expense of the Secretary of State, be construed as a reference to moneys provided by the Parliament of the United Kingdom,
 - (b) in section 148 the references to moneys provided by Parliament and to the Ministry shall, in relation to any expenses incurred by the Secretary of State, be construed as references to moneys provided by the Parliament of the United Kingdom and to the Secretary of State respectively;
 - (c) in section 155(4) (as substituted by paragraph 9 of Schedule 16 to the Health and Personal Social Services (Northern Ireland) Order 1972) after the last “Ministry” insert “and where a child or young person is ordered to be sent to a training school, such contributions shall be payable to the Secretary of State”;
 - (d) in section 178(3) for the first “Ministry” substitute “Lord Chancellor”, after “subsection (1) and” insert “the power of the Secretary of State to do so shall include power to make regulations making provision” and for the last “Ministry” substitute “Secretary of State”;
 - (e) in section 180(1), in the definition of “training school” after “Ministry” insert “or the Secretary of State”.
- 58.** In the Parliamentary Commissioner Act (Northern Ireland) 1969—
- (a) in section 1(2) for from the beginning to “appointed” substitute “A person appointed to be the Commissioner”;
 - (b) in section 1(3), in paragraphs (a) and (b) for “the Governor” substitute “Her Majesty”.

- 59.** In the Commissioner for Complaints Act (Northern Ireland) 1969—
- (a) in section 1(2) for from the beginning to “appointed” substitute “A person appointed to be the Commissioner”;
 - (b) in section 1(3), in paragraphs (a) and (b) for “the Governor” substitute “Her Majesty”.
- 60.** In the Judgments (Enforcement) Act (Northern Ireland) 1969—
- (a) section 7(3) and (4) shall, as respects a period beginning on or after the appointed day have effect with the substitution for “Parliament” of “the Parliament of the United Kingdom”;
 - (b) in section 120(1) for “Parliament” substitute “the Parliament of the United Kingdom”;
 - (c) in section 120(2) for “Exchequer” substitute “Consolidated Fund of the United Kingdom”.
- 61.** In the Police Act (Northern Ireland) 1970—
- (a) in section 3(4) after “officers” insert “of the civil service of the Crown or, as the case may be”;
 - (b) section 29(3) shall, as respects a period beginning on or after the appointed day, have effect with the substitution for “Parliament” of “the Parliament of the United Kingdom”;
 - (c) in section 31(4) for “those Ministries” substitute “the Secretary of State”;
 - (d) in section 32 for “Parliament” substitute “the Parliament of the United Kingdom”.
- 62.** In section 8(5) of the Finance Act (Northern Ireland) 1970 for “the Ministry” substitute “Her Majesty”.
- 63.** In section 1(3)(c) of the Printed Documents Act (Northern Ireland) 1970, after “department”, insert “the Assembly”.
- 64.** In the Criminal Injuries to Property (Compensation) Act (Northern Ireland) 1971—
- (a) in section 8(3) for “Northern Ireland” substitute “the United Kingdom”;
 - (b) in section 9(2) for “Parliament” substitute “the Parliament of the United Kingdom”.
- 65.** In section 28(1) of the Vehicles (Excise) Act (Northern Ireland) 1972 for the last “Attorney-General” substitute “Secretary of State”.

Orders in Council under s. 1(3) of the Northern Ireland (Temporary Provisions) Act 1972

- 66.** In Article 10 of the Finance (Northern Ireland) Order 1972 for the first reference to the Ministry of Finance substitute a reference to the Commissioners of Inland Revenue and for “that Ministry is” substitute “the Treasury are”.
- 67.** In the Electoral Law (Northern Ireland) Order 1972—
- (a) in Article 7(7), for “Exchequer” substitute “Consolidated Fund of the United Kingdom”;
 - (b) in Article 9(1), for “Parliament of Northern Ireland” substitute “Assembly”;
 - (c) after Article 16(3)(c) insert—
“(cc) all elections to the Assembly;”
- 68.** In Part II of Schedule B to the Appropriation (Northern Ireland) Order 1973 any reference to the Senate and the House of Commons or to the Houses of Parliament shall be construed as including a reference to the Assembly.
- 69.** In Part II of Schedule B to the Appropriation (No. 2) (Northern Ireland) Order 1973 any reference to the Senate and the House of Commons or to the Houses of Parliament shall be construed as including a reference to the Assembly.
- 70.** In the Finance (Miscellaneous Provisions) (Northern Ireland) Order 1973—

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- (a) in Article 5 for the first reference to the Ministry of Finance substitute a reference to the Commissioners of Inland Revenue and for “Ministry is” (twice) substitute “Treasury are”;
- (b) in Article 8(7)(a) and paragraph 10(5) of Schedule 2 for “the Ministry” substitute “Her Majesty”.

SCHEDULE 6

Article 14(2)

ENACTMENTS REPEALED

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
<i>Acts of the Parliament of the United Kingdom</i>		
5 & 6 Will. 4 c.26.	The Assizes (Ireland) Act 1835.	In section 2 (as originally enacted), the words from “by” to “of Ireland”.
13 & 14 Vict. c. 85.	The Assizes (Ireland) Act 1850.	In section 1 (as originally enacted), the words from “by” to “of Ireland” and the words “and they”.
		In section 2 (as originally enacted), the words “by and with the advice of the Privy Council of Ireland” (in both places) and “by and with the advice aforesaid”.
22 Vict. c. 32.	The Remission of Penalties Act 1859.	In section 1 (as originally enacted), the words from (“or” to “Lieutenant”).
33 & 34 Vict. c. 90.	The Foreign Enlistment Act 1870.	In section 26, paragraph (1) and the words from “or by any officer” to “in Ireland”.
39 & 40 Vict. c. 78.	The Juries Procedure (Ireland) Act 1876.	In section 9 (as originally enacted), the words from “by and” to “of Ireland”.
40 & 41 Vict. c. 56.	The County Officers and Courts (Ireland) Act 1877.	In section 21 (as originally enacted), the words from “by and” to “of Ireland” and the words “in Council”.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland) 1877.	In section 63 (as originally enacted), the words from “by and” to “Council in Ireland” and the words “in Council” (where they first occur).
45 & 46 Vict. c. 49.	The Militia Act 1882.	In section 53, subsection (4) and in subsection (5), the

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i> words from “, or, subject” to “Lieutenant”.
50 & 51 Vict. c. 20.	The Criminal Law and Procedure (Ireland) Act 1887.	<p>In section 5 (as originally enacted), the words from “by and” to “Council”.</p> <p>In section 6 (as so enacted), the words from “by and” to “Council”.</p> <p>In section 7 (as so enacted), the words “in Council” (twice).</p> <p>In section 12(1), the words from “or under” onwards.</p> <p>In section 13 (as so enacted), the words from “by and” to “Council”.</p> <p>In section 15 (as so enacted), the words from “by and” to “Council”, and in paragraph (4), the words “by and with the advice aforesaid”.</p>
10 & 11 Geo. 5 c. 43.	The Firearms Act 1920.	In section 16, the words from “or any” to “purpose”.
10 & 11 Geo. 5 c. 67.	The Government of Ireland Act 1920.	<p>Section 48.</p> <p>In section 54(1), the words from “and all sums” onwards.</p> <p>In section 55(4), the words from “but any sums” onwards.</p> <p>In section 56(7), the words from “and shall be” onwards.</p>
7 & 8 Geo. 6 c. 10.	The Disabled Persons (Employment) Act 1944.	Section 22(3).
12, 13 & 14 Geo. 6 c. 68.	The Representation of the People Act 1949.	In section 174(1)(d), the words from “any reference to” to “of Northern Ireland and”.
14 Geo. 6 c. 32.	The Army Reserve Act 1950.	Section 10(3).
14 Geo. 6 c. 33.	The Air Force Reserve Act 1950.	Section 10(3).
15 & 16 Geo. 6 & 1 Eliz. 2 c. 44.	The Customs and Excise Act 1952.	Section 314(1).

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1 & 2 Eliz. 2 c. 36.	The Post Office Act 1953.	In section 58(2), the words from “Northern Ireland for” to “that subsection”.
3 & 4 Eliz. 2 c. 18.	The Army Act 1955.	Section 215(3).
3 & 4 Eliz. 2 c. 19.	The Air Force Act 1955.	Section 213(3).
5 & 6 Eliz. 2 c. 20.	The House of Commons Disqualification Act 1957.	In Schedule 1, in Part III, the entry beginning “Minister of Northern Ireland”.
		In Schedule 1 (as substituted by section 10 and Schedule 3), in Part III, the entry beginning “Boundary Commissioner or Assistant Boundary Commissioner appointed under paragraph 1(1).”
5 & 6 Eliz. 2 c. 52.	The Geneva Conventions Act 1957.	In section 5, in subsection (1), the words from “or, in Northern Ireland” to “Ireland” and in subsection (2), the words from “or in” to “aforesaid”.
6 & 7 Eliz. 2 c. 47.	The Agricultural Marketing Act 1958.	In section 44(5), the words from “but such” onwards.
9 & 10 Eliz. 2 c. 39.	The Criminal Justice Act 1961.	In section 38(3)(c), the words “by the Minister of Home Affairs for Northern Ireland”.
1965 c. 54.	The National Health Service Contributions Act 1965.	In section 5, in subsection (1), paragraph (a) and the words “Northern Ireland or” and “as the case may be” and subsection (4)(a).
1966 c. 30.	The Reserve Forces Act 1966.	Section 20(3).
1968 c.29.	The Trade Descriptions Act 1968.	Section 40(5).
1969 c.48.	The Post Office Act 1969.	Section 128(a) and (d).
		In section 139(3), the words from “notwithstanding” to “1920”.
1969 c.63.	The Police Act 1969.	In section 1(2), the words “by the Minister of Home Affairs for Northern Ireland”.

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
		In section 3(2), the words “jointly” and the words from “and the Minister” onwards.
		In section 4(4), the words from “or, as” to “Ireland”.
1970 c.11.	The Sea Fish Industry Act 1970.	Section 43(2).
1971 c.75.	The Civil Aviation Act 1971.	In section 59(2), the words “(including stamp duty payable in Northern Ireland)”; in paragraph (a) from “or, as the case may be” to “Ireland”.
		In Schedule 2, in paragraph 8(1), the words “including that section as it applies in Northern Ireland”.
1973 c.41.	The Fair Trading Act 1973.	Section 135(3).
<i>Acts of the Parliament of Northern Ireland</i>		
12 Geo. 5 c.7 (N.I.).	The Speaker of the Senate Act (Northern Ireland) 1921.	The whole Act.
12 Geo. 5 c.8 (N.I.).	The Speaker of the House of Commons Act (Northern Ireland) 1921.	The whole Act.
13 & 14 Geo. 5 c.18 (N.I.).	The Office of Attorney General Act (Northern Ireland) 1923.	The whole Act.
13 & 14 Geo. 5 c.26 (N.I.).	The Finance Act (Northern Ireland) 1923.	Section 11(2).
14 & 15 Geo. 5 c.19 (N.I.).	The Finance Act (Northern Ireland) 1924.	Section 11(2).
16 & 17 Geo. 5 c.15 (N.I.).	The Jury Laws Amendment Act (Northern Ireland) 1926.	In Schedule 3, the words “or either House thereof”.
26 Geo. 5 & 1 Edw. 8 c.33 (N.I.).	The Finance Act (Northern Ireland) 1936.	In section 9(1), the word “transferred” in the last paragraph.
1944 c.14 (N.I.).	The Ministries Act (Northern Ireland) 1944.	In section 6(1), the definition of “statutory period”.
1945 c.15 (N.I.).	The Criminal Justice Act (Northern Ireland) 1945.	In section 19, the words “or of his deputy” and “or his deputy”.
1945 c.16 (N.I.).	The Indictments Act (Northern Ireland) 1945.	In section 9(1), the definition of “statutory period”.

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1948 c.15 (N.I.).	The Finance Act (Northern Ireland) 1948.	In section 14(1), the words “for the purpose mentioned in this Part of this Act and” and the word “other”. Section 15(2).
1950 c.11 (N.I.).	The Civil Defence Act (Northern Ireland) 1950.	Section 2(2). In section 7(3), the proviso.
1953 c.18 (N.I.).	The Prison Act (Northern Ireland) 1953.	Section 46(3)(c).
1953 c.19 (N.I.).	The Juries Act (Northern Ireland) 1953.	In section 10(3), the words “or either House thereof” (where they first occur).
1954 c.3 (N.I.).	The Finance (Miscellaneous Provisions) Act (Northern Ireland) 1954.	In section 1(1), the words “(in this Act referred to as ‘the Ministry’)”.
1954 c.9 (N.I.).	The Administration of Justice Act (Northern Ireland) 1954.	In section 10, the proviso to subsection (1) and subsections (2) and (3). In section 13(6), the words “with the advice of the Privy Council”.
1954 c.33 (N.I.).	The Interpretation Act (Northern Ireland) 1954.	In section 41(2), paragraph (b), and the words from “so, however” onwards.
1956 c.4 (N.I.).	The Malone and Whiteabbey Training Schools Act (Northern Ireland) 1956.	In section 15, the words from “after” to “Finance”.
1959 c.25 (N.I.).	The County Courts Act (Northern Ireland) 1959.	In section 108 in subsection (8), the words from “(including functions” to “1920)”; and in subsection (10), the words “be recommended to”. Section 117(2). In section 146(7), the words from “with” onwards.
1962 c.14 (N.I.).	The Electoral Law Act (Northern Ireland) 1962.	Sections 9 and 10A to 10C. In section 14, in subsection (2), the words “on the advice of the Minister” and from “upon an address” onwards;

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
		in subsection (5), the words “on the recommendation of the Minister”, and in subsection (7), the words “an Order in Council made under” .
		Schedule 2.
1964 c.12 (N.I.).	The Ministerial and Other Offices Act (Northern Ireland) 1964.	The whole Act.
1964 c.21 (N.I.).	The Magistrates' Courts Act (Northern Ireland) 1964.	In section 10(1), the words from “on the” to “Finance”. In section 46, the words “or of the Minister”. In section 168(2), the words from “to such extent” to “sanction”. In Schedule 1, the words “By His Excellency's Command”. In section 2(1), the words from “shall hold” to “Parliament” and in paragraph (b), the first “he”.
1964 c.29 (N.I.).	The Lands Tribunal and Compensation Act (Northern Ireland) 1964.	
1964 c.30 (N.I.).	The County Courts (Amendment) Act (Northern Ireland) 1964.	In section 4, in subsection (1), the words from the beginning to “accordingly” and subsection (3).
1965 c.18 (N.I.).	The Ministerial Salaries and Members' Pensions Act (Northern Ireland) 1965.	Sections 1 and 2. Schedule 1.
1968 c.10 (N.I.).	The Costs in Criminal Cases Act (Northern Ireland) 1968.	In section 1(3), the word “other”. In section 6(b), the word “other” before “department”. In section 9(a), the words from “or by” to “Ireland”.
1968 c.20 (N.I.).	The Electoral Law Act (Northern Ireland) 1968.	Sections 2 and 6. Schedules 1 and 3.

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<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1968 c.34 (N.I.).	The Children and Young Persons Act (Northern Ireland) 1968.	In section 155(4), the words “or ordered to be sent to a training school”.
1969 c.10 (N.I.).	The Parliamentary Commissioner Act (Northern Ireland) 1969.	In section 4(4), the words “Parliamentary Secretaries”. In section 8(1), the words “Parliamentary Secretary”. In Schedule 1, Note 3. In Schedule 2, paragraphs 2 and 4.
1969 c.25 (N.I.).	The Commissioner for Complaints Act (Northern Ireland) 1969.	In Schedule 2, paragraph 1.
1970 c.9 (N.I.).	The Police Act (Northern Ireland) 1970.	In section 3(4), the words “with the Ministry or the Ministry of Finance”. In section 19(2), the words “and the Minister”. In section 20(2), the words “by the Secretary of State”.
1972 c.10 (N.I.).	The Vehicles (Excise) Act (Northern Ireland) 1972.	In section 28, in subsection (1) the words “Subject to subsection (2),”, “by a member of the Royal Ulster Constabulary or by the Attorney-General,”; subsection (2), and in subsection (4) paragraph (b) and the words “or as the case may be, the Ministry”.
<i>Subordinate Legislation</i>		
S.I. 1969/833 (1969 II, p. 2325).	The Civil Aviation (Investigation of Accidents) Regulations 1969.	In Regulation 21(1), the words “after consulting with the Minister of Home Affairs for Northern Ireland”.
S.I. 1969/1437 (1969 III, p. 4631).	The Air Navigation (Investigation of Combined Military and Civil Air Accidents) Regulations 1969.	In Regulation 22(1), the words “after consulting with the Minister of Home Affairs for Northern Ireland”.
S.I. 1972/538 (N.I.1).	The Prosecution of Offences (Northern Ireland) Order 1972.	Article 4(2)(a).

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S.I. 1972/583 (1972 I, p. 1948).	The Trustee Savings Banks Regulations 1972.	In proviso (b) to Regulation 19(1), the words “Northern Ireland”.
S.I. 1972/641 (1972 I, p. 2084).	The Savings Certificates Regulations 1972.	In proviso (b) to Regulation 22(1), the words “Northern Ireland”.
S.I. 1972/764 (1972 II, p. 2421).	The National Savings Bank Regulations 1972.	In proviso (b) to Regulation 41(1), the words “Northern Ireland”.

EXPLANATORY NOTE

This Order supplements the Northern Ireland Constitution Act 1973 by transferring functions relating to “reserved” and “excepted” matters (within the meaning of that Act) from Northern Ireland Ministers and departments to United Kingdom Ministers and departments and amending and repealing provisions in Acts of the Northern Ireland and United Kingdom Parliaments.

It also contains supplementary provisions (including provisions transferring property) relating to functions transferred by the Order.