

SCHEDULES

SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

PART 1

Acts of the Parliament of the United Kingdom

Administration of Justice Act 1982

31. Amend the Administration of Justice Act 1982(1) as follows.

Commencement Information

II Sch. 18 para. 31 in force at 12.4.2010, see [art. 1\(2\)](#)

32. In section 25 (regulations as to deposit and registration of wills)—

- (a) in subsection (6) for the words from “Parliament” to “accordingly” substitute “the Northern Ireland Assembly after being made”;
- (b) after subsection (6) insert—

“(6A) Section 41(3) of the Interpretation Act (Northern Ireland) 1954(2) applies for the purposes of subsection (6) in relation to the laying of a statutory rule as it applies in relation to the laying of a statutory document under an enactment.”;
- (c) in subsection (7) omit “or (c)”.

Commencement Information

I2 Sch. 18 para. 32 in force at 12.4.2010, see [art. 1\(2\)](#)

33. In section 46 (procedure for making regulations etc)—

- (a) at the end of subsection (1) insert “(subject to subsection (1A))”;
- (b) after subsection (1) insert—

“(1A) Where the power is exercisable by a Northern Ireland department it shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(3) subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(4)).”

(1) 1982 c.53; to which there are amendments not relevant to this Schedule.

(2) 1954 c. 33 (N.I.). Section 41(3) was substituted by S.I. 1999/663.

(3) S.I. 1979/1573 (N.I. 12).

(4) 1954 c. 33 (N.I.). Section 41(6) was amended by S.I. 1999/663.

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Administration of Justice Act 1982. (See end of Document for details)

Commencement Information

I3 Sch. 18 para. 33 in force at 12.4.2010, see [art. 1\(2\)](#)

34.—(1) After section 48 insert—

“48A Application of Part VI to Northern Ireland

(1) In its application to Northern Ireland this Part of this Act shall have effect subject to the following modifications.

(2) For any reference to the Lord Chancellor substitute a reference to the Department of Justice in Northern Ireland.

(3) For any reference to the Treasury substitute a reference to the Department of Finance and Personnel in Northern Ireland.

(4) For any reference to the Consolidated Fund (except the reference in section 39(4A)) substitute a reference to the Consolidated Fund of Northern Ireland.

(5) For any reference to moneys provided by Parliament (except the reference in section 39(4A)) substitute a reference to moneys provided by the Northern Ireland Assembly.

(6) For the reference in section 45(1) to the Comptroller and Auditor General substitute a reference to the Comptroller and Auditor General for Northern Ireland.

(7) For section 42(5) substitute—

“(5) Shares in a common investment fund—

(a) shall be allotted to and held by the Accountant General of the Court of Judicature of Northern Ireland, and

(b) may be allotted to and held by any other person authorised by the Department of Justice in Northern Ireland.”

(8) For section 45(3) substitute—

“(3) The Comptroller and Auditor General for Northern Ireland shall examine, certify and report on accounts sent to him under subsection (1) above and lay copies of them and his report on them before the Northern Ireland Assembly.

(3A) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (3) in relation to the laying of a copy of accounts or a report as it applies in relation to the laying of a statutory document under an enactment.””

(2) The following provisions of section 48A (as inserted by sub-paragraph (1) above) do not apply in relation to any accounts that are, in accordance with a direction under section 45(2) given before the coming into force of this Order, required to be prepared for any period ending before the coming into force of this Order—

(a) subsection (3) so far as it applies for the purposes of section 45;

(b) subsections (6) and (8).

Commencement Information

I4 Sch. 18 para. 34 in force at 12.4.2010, see [art. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Administration of Justice Act 1982.