

## SCHEDULES

### SCHEDULE 18

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

### PART 2

Acts of the Parliament of Northern Ireland

#### *Administration of Justice Act (Northern Ireland) 1954*

**98.**—(1) Amend the Administration of Justice Act (Northern Ireland) 1954(1) as follows.

(2) In section 14 (power to grant licence for use of courthouse accommodation) omit subsection (2).

(3) In sections 19(4) and 20(1), (3) and (5)(ii) (payments) for “Consolidated Fund of the United Kingdom” (wherever occurring) substitute “Consolidated Fund of Northern Ireland”.

#### Commencement Information

**II** Sch. 18 para. 98 in force at 12.4.2010, see [art. 1\(2\)](#)

#### *Coroners Act (Northern Ireland) 1959*

**99.** Amend the Coroners Act (Northern Ireland) 1959(2) as follows.

#### Commencement Information

**I2** Sch. 18 para. 99 in force at 12.4.2010, see [art. 1\(2\)](#)

**100.** At the end of section 2(1) (as substituted by paragraph 2(2) of Schedule 4 to the Northern Ireland Act 2009(3)) (appointment of coroners etc) insert—

“Salaries and other amounts payable under this subsection shall be paid by the Department of Justice.”

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- (1) 1954 c. 9 (N.I.), as amended by S.I. 1973/2163. There are other amendments to the Act, but none are relevant.
- (2) 1959 c. 15 (N.I.). Relevant amendments were made by the Judicature (Northern Ireland) Act 1978, section 122 and Schedule 5; the Constitutional Reform Act 2005 (c.4), section 15 and Schedule 5, paragraphs 2 to 6; the Access to Justice Act 1999 (c. 22), section 104(2); the Northern Ireland Act 2009 (c.3), section 2 and Schedule 4, paragraph 2. Functions under the Act were transferred by S.I. 1973/2163.
- (3) 2009 c. 3.

**Commencement Information**

**I3** Sch. 18 para. 100 in force at 12.4.2010, see [art. 1\(2\)](#)

**101.** In section 5 (administrative expenses) for “Parliament of the United Kingdom” substitute “Assembly”.

**Commencement Information**

**I4** Sch. 18 para. 101 in force at 12.4.2010, see [art. 1\(2\)](#)

**102.** In section 36 (rules and fees)—

- (a) in subsections (1), (1A), (1C) to (1E) and (1G) for “Lord Chancellor” (wherever occurring) substitute “relevant authority”;
- (b) in subsection (1)(a) for “him” substitute “it”;
- (c) after subsection (1) insert—

“(1ZA) For the purposes of this section, “relevant authority” means—

- (a) in relation to rules which deal (or would deal) with an excepted matter, the Lord Chancellor; and
- (b) otherwise, the Department of Justice.”;
- (d) at the end of subsection (1A) insert “or, in relation to rules falling to be made by the Department of Justice, the Department of Finance and Personnel”;
- (e) in subsections (1D) and (1E) for “he” substitute “it”;
- (f) omit subsection (2);
- (g) after subsection (2) insert—

“(3) The Department of Justice may with the consent of the Department of Finance and Personnel determine the allowances payable to witnesses under this Act.

(4) For the purposes of this section “deal with” and “excepted matter” have the same meanings as in the Northern Ireland Act 1998(4).”.

**Commencement Information**

**I5** Sch. 18 para. 102 in force at 12.4.2010, see [art. 1\(2\)](#)

*County Courts Act (Northern Ireland) 1959*

**103.** Amend the County Courts Act (Northern Ireland) 1959(5) as follows.

**Commencement Information**

**I6** Sch. 18 para. 103 in force at 12.4.2010, see [art. 1\(2\)](#)

(4) 1998 c. 47.

(5) 1959 c.25 (N.I.). Section 106 was substituted by the Judicature (Northern Ireland) Act 1978 (c. 23), section 122 and Schedule 5, and amended by S.I. 1991/2631 (N.I. 24) and the Justice (Northern Ireland) Act 2002 (c. 26), Schedule 12, paragraph 5. Section 107 was substituted by section 99 of the Judicature (Northern Ireland) Act 1978 (c. 23) and amended by S.I. 1991/2631 (N.I. 24) and the Justice (Northern Ireland) Act 2002 (c. 26), Schedule 12, paragraph 4.

- 104.** In section 106 (salaries and allowances of judges) after subsection (3) insert—  
“(4) Sums payable under subsection (3) are to be paid by the Department of Justice.”

**Commencement Information**

**I7** Sch. 18 para. 104 in force at 12.4.2010, see [art. 1\(2\)](#)

- 105.** In section 107(7) (deputy judges) for “There shall be paid” substitute “The Department of Justice shall pay”.

**Commencement Information**

**I8** Sch. 18 para. 105 in force at 12.4.2010, see [art. 1\(2\)](#)

- 106.** After section 136 insert—

**“136A Charges on Northern Ireland Consolidated Fund**

There shall be charged on and paid out of the Consolidated Fund of Northern Ireland the salaries payable to judges under section one hundred and six.”

**Commencement Information**

**I9** Sch. 18 para. 106 in force at 12.4.2010, see [art. 1\(2\)](#)

- 107.** Omit section 137 (payments out of voted moneys).

**Commencement Information**

**I10** Sch. 18 para. 107 in force at 12.4.2010, see [art. 1\(2\)](#)

*Magistrates’ Courts Act (Northern Ireland) 1964*

- 108.**—(1) Amend the Magistrates’ Courts Act (Northern Ireland) 1964(6) as follows.  
(2) In section 12 (remuneration of resident magistrates) after subsection (1) insert—  
“(1A) Subject to section 168(2), sums payable under subsection (1) are to be paid by the Department of Justice.”  
(3) In section 168(2) (expenses) for “Consolidated Fund of the United Kingdom” substitute “Consolidated Fund of Northern Ireland”.

**Commencement Information**

**I11** Sch. 18 para. 108 in force at 12.4.2010, see [art. 1\(2\)](#)

(6) [1964 c.21 \(N.I.\)](#). Functions under the Act were transferred by [S.I. 1973/2163](#). Section 12 was amended by the Judicature (Northern Ireland) Act [1978 \(c. 23\)](#), section 122 and Schedule 5.

**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, PART 2. (See end of Document for details)

*Children and Young Persons Act (Northern Ireland) 1968*

**109.**—(1) Amend the Children and Young Persons Act (Northern Ireland) 1968(7) as follows.

(2) In paragraph 8(d) of Schedule 2 (constitution of juvenile courts) for the words from “annulment” to “accordingly” substitute “negative resolution”.

**Commencement Information**

**I12** Sch. 18 para. 109 in force at 12.4.2010, see [art. 1\(2\)](#)

*Registration of Deeds Act (Northern Ireland) 1970*

**110.**—(1) Amend the Registration of Deeds Act (Northern Ireland) 1970(8) as follows.

(2) In section 19 (regulations)—

- (a) in subsection (3) omit “of the Lord Chancellor, with the concurrence of the Department of Economic Development,”;
- (b) omit subsection (4).

**Commencement Information**

**I13** Sch. 18 para. 110 in force at 12.4.2010, see [art. 1\(2\)](#)

(7) [1968 c. 34 \(N.I.\)](#). Functions under the Act were transferred by [S.I. 1973/2163](#); and relevant amendments were made to Schedule 2 by the Judicature (Northern Ireland) Act 1978 ([c. 23](#)), Schedule 5; and the Constitutional Reform Act 2005 ([c. 4](#)), Schedule 5.

(8) [1970 c. 25 \(N.I.\)](#). Section 19(3) was inserted by [S.I. 1989/2405 \(N.I. 19\)](#). The Department of Enterprise, Trade and Investment was formerly the Department of Economic Development, see [S.I. 1999/283 \(N.I. 1\)](#).

**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, PART 2.