



# Interpretation Act (Northern Ireland) 1954

## 1954 CHAPTER 33

### MEANING OF PARTICULAR WORDS AND PHRASES

#### 41 Definitions for parliamentary purposes.

- (1) In an enactment the expression—
- [<sup>F1</sup> “Assembly” means the Northern Ireland Assembly];
  - “House of Commons”, when used without qualification[<sup>F2</sup> in any enactment passed or made before 1st January 1974], shall mean House of Commons of Northern Ireland;
  - “Parliament”, when used without qualification[<sup>F2</sup> in any enactment passed or made before 1st January 1974], shall mean Parliament of Northern Ireland;
  - “Senate” shall mean the Senate of Northern Ireland.
- <sup>F3</sup>(2) In any Act passed after the thirtieth day of May, nineteen hundred and fifty, “statutory period” means a period comprising—
- (a) ten days on which the [<sup>F4</sup> Assembly] has sat; or
  - (b) ...
  - <sup>F5</sup>(c) thirty days;
- whichever period is the longest, such days being reckoned without regard to whether they occur during one or more than one session of the same [<sup>F4</sup> Assembly] or of different [<sup>F4</sup> Assemblies] ... <sup>F5</sup>].
- [<sup>F2</sup>(3) Where, under any enactment, a statutory instrument or statutory document is required to be laid before the Assembly, the delivery of a copy of the instrument or document to the Business Office of the Assembly on any day during the existence of an Assembly shall for all purposes be deemed to be the laying of it before the Assembly.]
- (4) The expression “subject to affirmative resolution” when used in relation to any statutory instruments or statutory documents shall mean that those instruments or documents shall not come into operation unless and until affirmed by a resolution of [<sup>F2</sup> the Assembly].

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*Changes to legislation: There are currently no known outstanding effects for the Interpretation Act (Northern Ireland) 1954. (See end of Document for details)*

*Subs. (5) rep. by SI 1999/663*

- (6) The expression “subject to negative resolution” when used in relation to any statutory instruments or statutory documents shall mean that those instruments or documents shall, as soon as may be after they are made, be laid before<sup>F2</sup> the Assembly, and if the Assembly], within the statutory period next after any such instrument or document has been so laid, resolves that the instrument or document shall be annulled, the instrument or document shall be void as from the date of the resolution, but without prejudice to the validity of anything done thereunder or to the making of a new instrument or document.

*Subs. (7) rep. by SI 1999/663*

- F1** SI 1973/2163
- F2** SI 1999/663
- F3** 1968 c. 24 (NI)
- F4** SI 1973/2163
- F5** SI 1973/2163

**Modifications etc. (not altering text)**

- C1** S. 41(3) applied by 2006 c. 48, **s. 49(12)** (as inserted (18.10.2012) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2012 (S.I. 2012/2595), arts. 1(2), **13(3)** (with arts. 24-28))
- C2** S. 41(3) applied by 2002 c. 29, **s. 195I(6A)** (as inserted by 2009 c. 26, **s. 57(2)** (as inserted) (18.10.2012) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2012 (S.I. 2012/2595), arts. 1(2), **18(2)(g)** (with arts. 24-28))
- C3** S. 41(3) applied by 2002 c. 29, **s. 195T(6)** (as inserted by 2009 c. 26, **s. 57(2)** (as inserted) (18.10.2012) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2012 (S.I. 2012/2595), arts. 1(2), **18(2)(m)** (with arts. 24-28))
- C4** S. 41(3) applied (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 2 para. 8(5)**; S.I. 2013/1682, art. 3(e)
- C5** S. 41(3) applied (7.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 2 para. 6(5)**; S.I. 2013/1682, art. 3(e)
- C6** S. 41(3) applied by Police (Northern Ireland) Act 1998 (c. 32), s. 61(5B) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 32(5)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C7** S. 41(3) applied by Police (Northern Ireland) Act 1998 (c. 32), Sch. 3 para. 12(3) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 39(8)(e)** (with arts. 28-31, Sch. 3 para. 39(12)); S.I. 2010/977, **art. 1(2)**)
- C8** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), s. 12(7) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 48(1)(d)** (with arts. 28-31, Sch. 3 para. 48(2)); S.I. 2010/977, **art. 1(2)**)
- C9** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), s. 24(4) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 52(1)(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C10** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), s. 30(8A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 57(10)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C11** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), s. 58(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 73(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)

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- C12** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), s. 76(4B) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 83(e)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C13** S. 41(3) applied by Police (Northern Ireland) Act 2000 (c. 32), Sch. 1 para. 16(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 86(6)(d)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C14** S. 41(3) applied by Civil Contingencies Act 2004 (c. 36), s. 17(3B) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 5, **Sch. 3 para. 108(4)** (with arts. 28-31, Sch. 3 para. 110); S.I. 2010/977, **art. 1(2)**)
- C15** S. 41(3) applied by Criminal Justice Act 1988 (c. 33), s. 133A(12) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(3), **Sch. 6 para. 3** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C16** S. 41(3) applied by Criminal Appeal Act 1995 (c. 35), Sch. 1 para. 8(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(3), **Sch. 6 para. 8(3)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C17** S. 41(3) applied by Criminal Justice and Public Order Act 1994 (c. 33), s. 127A(7) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(4), **Sch. 7 para. 4(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C18** S. 41(3) applied by Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19), s. 24(10) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 7, **Sch. 9 para. 4(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C19** S. 41(3) applied by Serious Crime Act 2007 (c. 27), s. 89(10) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 8, **Sch. 10 para. 10(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C20** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), s. 49(1L) (as substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 7(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C21** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), s. 52(7) (as substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 10** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C22** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), s. 90(1B) (as substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 23(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C23** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 8 para. 4(1L) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 24(5)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C24** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 8 para. 6(4A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 24(7)(d)** (with arts. 28-31, Sch. 13 para. 27); S.I. 2010/977, **art. 1(2)**)
- C25** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 9 para. 6(4A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 11, **Sch. 13 para. 25(6)(d)** (with arts. 28-31, Sch. 13 para. 27); S.I. 2010/977, **art. 1(2)**)
- C26** S. 41(3) applied by Criminal Justice Act 1988 (c. 33), s. 141(17) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 31(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C27** S. 41(3) applied by Criminal Procedure and Investigations Act 1996 (c. 25), Sch. 4 para. 14A(g) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 34(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C28** S. 41(3) applied by Criminal Procedure and Investigations Act 1996 (c. 25), Sch. 4 para. 14C(c) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions)

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- Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 34(5)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C29** S. 41(3) applied by Criminal Procedure and Investigations Act 1996 (c. 25), Sch. 4 para. 33A (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 34(6)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C30** S. 41(3) applied by Police Act 1997 (c. 50), s. 126A(10) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 38** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C31** S. 41(3) applied by Youth Justice and Criminal Evidence Act 1999 (c. 23), s. 64(7) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 44** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C32** S. 41(3) applied by Proceeds of Crime Act 2002 (c. 29), s. 291(6) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 59(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C33** S. 41(3) applied by Proceeds of Crime Act 2002 (c. 29), s. 293A(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 61** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C34** S. 41(3) applied by Proceeds of Crime Act 2002 (c. 29), s. 377ZA(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 68** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C35** S. 41(3) applied by Proceeds of Crime Act 2002 (c. 29), s. 459(7D) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 74(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C36** S. 41(3) applied by Sexual Offences Act 2003 (c. 42), s. 138(7) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 77(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C37** S. 41(3) applied by Criminal Justice Act 2003 (c. 44), s. 330A(3) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 78(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C38** S. 41(3) applied by Justice (Northern Ireland) Act 2004 (c. 4), s. 8(3A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 81(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C39** S. 41(3) applied by Justice (Northern Ireland) Act 2004 (c. 4), s. 21(2A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 82(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C40** S. 41(3) applied by Coroners and Justice Act 2009 (c. 25), s. 83(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 98(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C41** S. 41(3) applied by Coroners and Justice Act 2009 (c. 25), s. 176(8) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 101(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C42** S. 41(3) applied by Policing and Crime Act 2009 (c. 26), s. 113A(8) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 106** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C43** S. 41(3) applied by Serious Organised Crime and Police Act 2005 (c. 15), s. 7(9) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 13, **Sch. 15 para. 3(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C44** S. 41(3) applied by Serious Organised Crime and Police Act 2005 (c. 15), s. 15(7) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 13, **Sch. 15 para. 10(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)

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- C45** S. 41(3) applied by Serious Organised Crime and Police Act 2005 (c. 15), s. 172(14) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 13, **Sch. 15 para. 24** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C46** S. 41(3) applied by Private Security Industry Act 2001 (c. 12), Sch. 1 para. 16(3C) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 14, **Sch. 16 para. 7(6)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C47** S. 41(3) applied by Private Security Industry Act 2001 (c. 12), Sch. 1 para. 17(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 14, **Sch. 16 para. 7(7)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C48** S. 41(3) applied by Judicature (Northern Ireland) Act 1978 (c. 23), s. 68A(3) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 18(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C49** S. 41(3) applied by Judicature (Northern Ireland) Act 1978 (c. 23), s. 78(5) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 22(1)(d)** (with arts. 28-31, Sch. 18 para. 22(2)); S.I. 2010/977, **art. 1(2)**)
- C50** S. 41(3) applied by Administration of Justice Act 1982 (c. 53), s. 25(6A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 32(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C51** S. 41(3) applied by Damages Act 1996 (c. 48), s. 2B(8)(d) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 57** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C52** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 2 para. 5(7A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 67(7)(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C53** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 2 para. 7(4A) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 67(8)(e)** (with arts. 28-31, Sch. 18 para. 67(9)); S.I. 2010/977, **art. 1(2)**)
- C54** S. 41(3) applied by Justice (Northern Ireland) Act 2002 (c. 26), Sch. 3A para. 15(6) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 68(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C55** S. 41(3) applied by Courts Act 2003 (c. 39), s. 109(11) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 69(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C56** S. 41(3) applied by Civil Partnership Act 2004 (c. 33), s. 219(6C) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 73(d)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C57** S. 41(3) applied by Forced Marriage (Civil Protection) Act 2007 (c. 20), Sch. 1 para. 14(4) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 82(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C58** S. 41(3) applied by Criminal Justice and Immigration Act 2008 (c. 4), s. 147(5C) (as inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 94(d)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C59** S. 41(3) applied (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 16, **Sch. 19 para. 1(3)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)
- C60** S. 41(3) applied (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 16, **Sch. 19 para. 2(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**)

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## 42 Definitions for judicial purposes.

(1) In an enactment the expression—

“<sup>F6</sup>Court of Judicature]” shall mean the<sup>F6</sup>Court of Judicature] of Northern Ireland;

“Court of Appeal” or “High Court of Appeal” shall mean Her Majesty's Court of Appeal in Northern Ireland;

“High Court” shall mean Her Majesty's High Court of Justice in Northern Ireland;

“Court of Criminal Appeal” shall mean the Court of Criminal Appeal in Northern Ireland ...<sup>F7</sup>;

“court of assize” shall mean a court of assize, a court of oyer and terminer and a court of gaol delivery or any of them and shall include a court held in and for the county of the City of Belfast by virtue of a commission of oyer and terminer or general gaol delivery;

<sup>F8</sup> “Lands Tribunal” shall mean the Lands Tribunal for Northern Ireland;]

<sup>F9</sup> “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 [<sup>F10</sup> (Northern Ireland) Order 1980 ];]

...<sup>F11</sup>

<sup>F12</sup> “court of summary jurisdiction” or “magistrates' court” shall have the meaning assigned to it by Article 2(2) of the Magistrates' Courts (Northern Ireland) Order 1981].

(2) Where an enactment provides that any appeal, application, proceeding or other matter arising thereunder may be heard or determined by a county court, ...<sup>F11</sup><sup>F12</sup> or a magistrates' court, without] specifying any particular county court ...<sup>F11</sup><sup>F12</sup> or magistrates' court, the matter] may be heard and determined by such county court, ...<sup>F11</sup><sup>F12</sup> or magistrates' court (as] the case may be) as may be prescribed, in the case of a county court ...<sup>F11</sup> by county court rules, or in the case of<sup>F12</sup> a magistrates' court, by magistrates' courts rules or, if] no such court is so prescribed, by the county court, ...<sup>F11</sup><sup>F12</sup> or magistrates' court (as] the case may be) having jurisdiction over the whole or any part of the division or district or place in which the matter arises or, if the matter relates to any premises, in which those premises are situated.

(3) In an enactment the expression—

“Lord Chief Justice” shall mean the Lord Chief Justice of Northern Ireland;

“Chancery Judge” shall mean the Judge of the High Court to whom the business and matters arising in the chancery jurisdiction of that court are for the time being assigned;

“county court judge” shall include ...<sup>F11</sup> a recorder ...<sup>F11</sup>; and

<sup>F9</sup> “Probate Judge” shall mean the Judge of the High Court to whom probate business and matters are for the time being assigned.]

(4) In an enactment the expression—

“appeal summarily” shall mean appeal, in accordance<sup>F12</sup> with magistrates' courts rules], to a court of summary jurisdiction;

*Definition rep. by 1975 NI 7; 1978 c. 23*

“committed for trial” shall mean committed by a court, judge, resident magistrate, ...<sup>F13</sup><sup>F14</sup> . . . or other authority having power to commit a person in



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custody with a view to his trial, and shall include committed on bail upon a recognizance to appear and stand trial before a judge and jury;

[<sup>F15</sup>“standard scale” means the standard scale provided by Article 5 of the Fines and Penalties (Northern Ireland) Order 1984;

“statutory maximum” means the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.]

“Summary Jurisdiction Acts” shall mean the statutory provisions for the time being in force in Northern Ireland in relation to summary jurisdiction;

“summary conviction” shall mean conviction subject to and in accordance with the Summary Jurisdiction Acts.

[<sup>F16</sup>(5) In an enactment the expression “industrial tribunal” means a tribunal established under Article 3 of the Industrial Tribunals (Northern Ireland) Order 1996.]

**F6** Words in s. 42(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59\(5\), 148\(1\), Sch. 11 para. 6; S.I. 2009/1604, art. 2\(d\)](#)

**F7** 1968 c. 21

**F8** 1971 c. 23 (NI)

**F9** 1978 c. 23

**F10** 1980 NI 3

**F11** 1978 c. 23

**F12** 1981 NI 26

**F13** SLR 1973

**F14** 2002 c.26

**F15** 1994 NI 15

**F16** 1996 NI 18

#### **43 Definitions for official purposes.**

(1) In an enactment the expression—

“Admiralty” shall mean the Lord High Admiral of the United Kingdom or the Commissioners for executing the office of the Lord High Admiral of the United Kingdom;

“Bank of England” shall mean, as the circumstances require, the Governor and Company of the Bank of England or the Bank of the Governor and Company of the Bank of England;

“Bank of Ireland” shall mean, as the circumstances require, the Governor and Company of the Bank of Ireland or the Bank of the Governor and Company of the Bank of Ireland;

“Board of Trade” shall mean the Lords of the Committee of the Privy Council appointed for the consideration of matters relating to trade and foreign plantations;

“British Islands” shall mean the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland;

“consular officer” shall include consul-general, consul, vice-consul, consular agent, and any person authorised to discharge the duties of consul-general, consul, or vice-consul;

“Governor” shall mean the Governor of Northern Ireland;

“Lord Chancellor” shall mean the Lord High Chancellor of Great Britain;

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“National Debt Commissioners” shall mean the Commissioners for the Reduction of the National Debt;

“Postmaster General” shall mean Her Majesty's Postmaster General;

“Privy Council” shall mean, except when used with reference to Northern Ireland only, the Lords and others of Her Majesty's Most Honourable Privy Council, and when used with reference to Northern Ireland only, shall mean the Privy Council of Northern Ireland;

“Secretary of State” shall mean one of Her Majesty's Principal Secretaries of State;

“Treasury” shall mean the Lord High Treasurer or the Commissioners of Her Majesty's Treasury;

“United Kingdom” shall mean the United Kingdom of Great Britain and Northern Ireland.

(2) In an enactment the expression—

“Attorney-General” shall mean the Attorney-General for Northern Ireland;

“authorised analyst” shall include the government chemist and any public analyst;

*Definition rep. by 1976 NI 23*

*Definition rep. by 2000 c. 32*

“Commissioner of Valuation” shall mean the officer [<sup>F17</sup>appointed under Article 36 of the Rates (Northern Ireland) Order 1977<sup>M1</sup> to be the Commissioner of Valuation for Northern Ireland];

“consolidated fund” shall mean the consolidated fund of Northern Ireland;

*Definition rep. by 2000 c. 32*

*Definition rep. by 1998 c. 32*

“exchequer” shall mean the exchequer of Northern Ireland;

“government chemist” shall mean the officer appointed under section two of the Administrative Provisions Act (Northern Ireland), 1928<sup>M2</sup>, to be the government chemist for Northern Ireland;

“Great Seal” shall mean the Great Seal of Northern Ireland and shall [<sup>F18</sup>include a] Wafer Great Seal where the use of that Seal has been authorised under section three of the Northern Ireland (Miscellaneous Provisions) Act, 1945<sup>M3</sup> [<sup>F18</sup> or section 49 of the Northern Ireland Act 1998];

*Definitions rep. by 1998 c. 32*

“Pharmacy Inspector” and “Pharmacy Registrar” shall mean respectively [<sup>F19</sup>the Pharmacy Inspector appointed under Article 24(1), and the registrar appointed under Article 9(1), of the Pharmacy (Northern Ireland) Order 1976<sup>M4</sup>;]

[<sup>F20</sup>“Poisons Inspector” means [<sup>F21</sup>the Poisons Inspector appointed under Article 16 of the Poisons (Northern Ireland) Order 1976<sup>M5</sup>;]]

“public analyst” shall mean a public analyst appointed under [<sup>F22</sup> Article 27(1) of the Food Safety (Northern Ireland) Order 1991];

“Queen's Printer” shall mean the officer appointed to print Acts;

[<sup>F23</sup>“regional rate” means a rate made by the Department of Finance under the Rates (Northern Ireland) Order 1977<sup>M6</sup>;]

“registered pharmacist” shall mean a person registered in the register of pharmaceutical chemists in pursuance of [<sup>F19</sup>the Pharmacy (Northern Ireland) Order 1976;]

*Definition rep. by 2000 c. 32*



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“weights and measures inspector” shall mean [<sup>F24</sup>a chief or other inspector of weights and measures within the meaning of the Weights and Measures (Northern Ireland) Order 1981]<sup>M7</sup>.

**F17** 1977 NI 28  
**F18** SI 1999/663  
**F19** 1976 NI 22  
**F20** SRO (NI) 1972/253  
**F21** 1976 NI 23  
**F22** 1991 NI 7  
**F23** 1977 NI 28  
**F24** 1981 NI 10

#### Marginal Citations

**M1** 1977 NI 28  
**M2** 1928 c.14 (NI)  
**M3** 1945 c.12  
**M4** 1976 NI 22  
**M5** 1976 NI 23  
**M6** 1977 NI 28  
**M7** 1981 NI 10

#### [<sup>F25</sup>43A Definitions in connection with police.

In an enactment—

“Chief Constable” means the Chief Constable of the Police Service of Northern Ireland;

“constable”, except when used in enactments relating to the pay or pensions of, or the general administration of, the police, includes—

- (a) any police officer;
- (b) any member of any Harbour or Airport Police;
- (c) any member of the Naval, Military or Royal Air Force Police or of the Ministry of Defence Police;
- (d) any other person having for the time being the powers of a constable;

“Policing Board” means the Northern Ireland Policing Board;

“police district” and “district commander” have the meanings assigned by section 20 of the Police (Northern Ireland) Act 2000;

“the police”, “police officer”, “Police Service of Northern Ireland”, “Police Service of Northern Ireland Reserve” and “police support staff” have the same meaning as in the Police (Northern Ireland) Act 2000;

“reserve constable” means a person appointed as a reserve constable under section 37 of the Police (Northern Ireland) Act 2000.]

**F25** 2000 c. 32

#### 44 Definitions for local government purposes.

In an enactment the expression—

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“borough” when used in relation to local government, shall mean a municipal borough,<sup>F26</sup> ... ;

[<sup>F27</sup>“chairman”, when used in relation to a district council, shall include a mayor or lord mayor, and “vice-chairman”, when so used, shall include a deputy mayor or deputy lord mayor;

“councillor” shall include an alderman;

“district”, when used in relation to local government, shall mean a local government district within the meaning of section 1 of the Local Government Act (Northern Ireland) 1972<sup>M8</sup> and shall include a district which is a borough;

“district council” shall mean the council of a district;]

[<sup>F28</sup>“district rate” means a rate made by a district council under the Rates (Northern Ireland) Order 1977<sup>M9</sup>;

[<sup>F27</sup>“local government auditor” shall mean [<sup>F29</sup>the person][<sup>F30</sup>designated] as such under [<sup>F31</sup> Article 4 of the Local Government (Northern Ireland) Order 2005];]

“municipal borough” shall mean any [<sup>F32</sup>district for which a charter of incorporation of inhabitants, or a charter designating the district a borough, is in force, and shall include a borough which is a city];

*Definition rep. by SI 1999/663*

**F26** SI 1999/663

**F27** 1972 c. 9 (NI)

**F28** 1977 NI 28

**F29** Words in s. 44 substituted (2.6.2014) by [Local Government Act \(Northern Ireland\) 2014 \(c. 8\)](#), **ss. 110(1)**, 129 (with s. 124(4)); S.R. 2014/153, art. 2, Sch. 1

**F30** 2003 NI 5

**F31** S. 44: words in definition of "local government auditor" substituted (1.4.2006) by [Local Government \(Northern Ireland\) Order 2005 \(S.I. 2005/1968 \(N.I. 18\)\)](#), arts. 1(2), 28(1); S.R. 2006/151, **art. 2**, Sch. (with art. 4)

**F32** 1972 c. 9 (NI)

#### **Marginal Citations**

**M8** 1972 c. 9 (NI)

**M9** 1977 NI 28

## **45 References relating to land.**

- (1) In any enactment passed after the commencement of this Act the expression—
- (a) “land” shall include—
    - (i) messuages, tenements and hereditaments of any tenure;
    - (ii) land covered by water;
    - (iii) any estate in land or water; and
    - (iv) houses or other buildings or structures whatsoever;
  - (b) “registered land” shall mean land the title to which is registered under [<sup>F33</sup>Part III of the Land Registration Act (Northern Ireland) 1970]<sup>M10</sup>; and
  - (c) “unregistered land” shall mean land the title to which is not registered under [<sup>F33</sup>Part III of the Land Registration Act (Northern Ireland) 1970].

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- (2) In any enactment passed after the commencement of this Act “estate”, when used with reference to land, includes any legal or equitable estate or interest, easement, right, title, claim, demand, charge, lien or encumbrance in, over, to or in respect of the land.
- (3) Where an enactment passed after the commencement of this Act provides that a person may dispose of land, that person may deal with the land in any of the following ways—
  - (a) sell it;
  - (b) lease, let it or grant it in fee farm;
  - (c) exchange it, giving or receiving money for equality of exchange;
  - (d) if leasehold, surrender it;
  - (e) grant a licence to use it for any purpose or for such purposes as are mentioned in the licence; or
  - (f) grant (by way of sale, lease, letting or licence) any easement, profit or right in respect of it.

**F33** 1970 c. 18 (NI)

**Marginal Citations**

**M10** 1970 c. 18 (NI)

**46 Miscellaneous definitions.**

- (1) In an enactment the expression—
  - “commencement” when used with reference to any statutory provision shall mean the time at which that provision comes into operation;
  - “contravention” shall include in relation to any statutory provision, a failure to comply with that provision;
  - “Land Clauses Acts” shall mean the Lands Clauses Consolidation Act, 1845 , the Lands Clauses Consolidation Acts Amendment Act, 1860 , the Railways Act (Ireland), 1851 , the Railways Act (Ireland), 1860 , the Railways Act (Ireland), 1864 , ...<sup>F34</sup>, the Acquisition of Land (Assessment of Compensation) Act, 1919 , section two of the Repeal of Unnecessary Laws Act (Northern Ireland), 1953 , and every statutory provision for the time being in force amending those provisions or any of them;
  - “ordnance map” shall mean a map made under the powers conferred by the Survey (Ireland) Acts, 1825 to 1870;
  - “owner” in relation to any land shall include any person who under the Lands Clauses Acts would have power to sell and convey that land to the promoters of an undertaking;(12 & 13 Geo.5)(13 Geo.5)
  - “Republic of Ireland” shall mean the territory which, in accordance with the provisions of the Irish Free State (Agreement) Act, 1922 , and the Irish Free State Constitution Act, 1922 (Session 2), was required to be styled and known as the Irish Free State;
  - [<sup>F35</sup>“sewerage undertaker” shall be construed in accordance with Article 13 of the Water and Sewerage Services (Northern Ireland) Order 2006;]
  - “signature” and “signed” shall include and apply to the making of a mark;
  - “Valuation Acts” shall mean the [<sup>F36</sup>statutory] provisions relating to the valuation of rateable property in Northern Ireland;

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[<sup>F37</sup>“water undertaker” shall be construed in accordance with Article 13 of the Water and Sewerage Services (Northern Ireland) Order 2006;]

“will” shall include codicil;

“writing”, “written” or any term of like import shall include words typewritten, printed, painted, engraved, lithographed, photographed or represented or reproduced by any mode of representing or reproducing words in a visible form.

(2) In an enactment passed or made after the commencement of this Act the expression—

“access” shall include ingress, egress and regress;

“act” where used in reference to an offence or civil wrong shall include a series of acts, and words so used which refer to acts done shall extend to omissions;

[<sup>F38</sup>“arbitrator” has the same meaning as in Part I of the Arbitration Act 1996;]

“assets” shall include property or rights of any kind;

“barrister-at-law” shall mean any person admitted or entitled to practise as a member of the Bar of Northern Ireland;

[<sup>F39</sup>“civil partnership” means a civil partnership which exists under the Civil Partnership Act 2004 (and any reference to a civil partner shall be construed accordingly);]

“constitutional laws of Northern Ireland” shall mean<sup>F40</sup> . . . the statutory provisions<sup>F40</sup> . . . relating to or affecting the legislative powers of [<sup>F36</sup> the Assembly];

“costs”<sup>F41</sup> shall include fees, charges, disbursements, expenses or remuneration;

“fault” shall mean wrongful act or default;

“functions” shall include jurisdictions, powers and duties;

“goods” shall mean all kinds of movable property including animals;

“individual” shall mean a natural person and shall not include a corporation;

“movable property” shall mean property of every description (including growing crops) except immovable property;

“registry of deeds” shall mean the registry maintained in Northern Ireland under the Registration of Deeds Acts;

[<sup>F42</sup> “Registration of Deeds Acts” shall mean the Registration of Deeds Act (Northern Ireland) 1970 and every statutory provision for the time being in force amending that Act or otherwise relating to the registry of deeds, or to the registration of deeds, orders or other instruments or documents in such registry;]

“statute of limitation” shall mean any statutory provision in force in Northern Ireland prescribing a period within which any civil proceeding to which such provision relates is required to be brought, but shall not include a provision prescribing a period within which any criminal proceedings (including proceedings to recover any penalty imposed as a punishment for a criminal offence) is to be brought.

[<sup>F36</sup>(3) In any enactment passed or made after the day appointed for the commencement of Parts II and III of the Northern Ireland Act 1998, the following expressions shall have the same meaning as in that Act—

“The Belfast Agreement”;

“cross-community support”;

“excepted matter”;

“Northern Ireland legislation”;

“reserved matter”; and

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“transferred matter”.

- (4) In any enactment, whenever passed or made, any reference to a Minister of a Northern Ireland department shall, in the case of the Office of the First Minister and deputy First Minister, be construed as a reference to the First Minister and deputy First Minister acting jointly.]

- F34** 1978 c. 23
- F35** S. 46(1): definition of "sewerage undertaker" inserted (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(1), **Sch. 12 para. 4** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)
- F36** SI 1999/663
- F37** S. 46(1): definition of "water undertaker" inserted (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), arts. 1(2), 308(1), **Sch. 12 para. 4** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)
- F38** 1996 c. 23
- F39** 2004 c.33
- F40** 1998 c. 47
- F41** Definition ext. (costs in criminal cases), 1968 c. 10 (NI)
- F42** 1970 c. 25 (NI)

**Status:**

Point in time view as at 12/12/2014.

**Changes to legislation:**

There are currently no known outstanding effects for the Interpretation Act (Northern Ireland) 1954.