



# Judicature (Northern Ireland) Act 1978

## 1978 CHAPTER 23

### PART VI U.K.

#### DEPARTMENTS AND OFFICERS

#### 68 Departments. U.K.

- (1) There shall be established the departments of the [<sup>F1</sup>Court of Judicature] specified in the first column of Schedule 2.
- (2) The business to be assigned to each department shall—
  - (a) be prescribed by rules of court; and
  - (b) subject to any directions given by the [<sup>F2</sup>Lord Chief Justice] under subsection (4), be transacted under the supervision of the [<sup>F3</sup>officer] specified in relation to that department in the second column of Schedule 2.
- (3) The Lord Chancellor may by order made after consultation with the Lord Chief Justice establish at such place as may be specified in the order a branch office of the Probate and Matrimonial Office which—
  - (a) may transact such of the business of that Office as may be so specified; and
  - (b) shall, subject to subsection (4), be under the supervision of a circuit registrar.
- [<sup>F4</sup>(4) The officer supervising a department shall discharge his functions in accordance with directions given by the [<sup>F5</sup>Lord Chief Justice].]
- (5) The Lord Chancellor may by order made after consultation with the Lord Chief Justice at any time modify Schedule 2 by—
  - (a) removing any department and any entry relating thereto from that Schedule;
  - (b) adding any department and any entry relating thereto to that Schedule;
  - (c) amending the name of any department or amending any entry relating to any department in that Schedule.
- (6) An order under subsection (5) may make provision for any incidental, consequential, transitional or supplementary matters for which it appears to the Lord Chancellor to be necessary or expedient for the purpose of the order to provide, and may amend or

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repeal any statutory provision (including any provision of this Act) so far as may be necessary or expedient in consequence of the order.

[<sup>F6</sup>(7) The Lord Chief Justice may nominate any of the following to exercise his functions under this section—

- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]

#### Textual Amendments

- F1** Words in s. 68(1) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 6(1)**; S.I. 2009/1604, **art. 2(d)**
- F2** Words in s. 68(2)(b) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), **Sch. 5 para. 33(2)**; S. I. 2006/1014, **art. 2(a)**, Sch. 1 para. 12(a)
- F3** Word in s. 68(2)(b) substituted (1.5.2004) by Courts Act 2003 (c. 39), **ss. 103(5)(a)**, 110(1); S.I. 2004/1104, **art. 3(e)**
- F4** S. 68(4) substituted (1.5.2004) by Courts Act 2003 (c. 39), **ss. 103(5)(b)**, 110(1); S.I. 2004/1104, **art. 3(e)**
- F5** Words in s. 68(4) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), **Sch. 5 para. 33(3)**; S. I. 2006/1014, **art. 2(a)**, Sch. 1 para. 12(a)
- F6** S. 68(7) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), **Sch. 5 para. 33(4)**; S.I. 2006/1014, **art. 2(a)**, **Sch. 1 para. 12(a)**

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

- C1** S. 68(3) transfer of functions (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 17 para. 6(f)** (with arts. 28-31)
- C2** S. 68(5)(6) transfer of functions (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 17 para. 6(f)** (with arts. 28-31)

**Changes to legislation:**

Judicature (Northern Ireland) Act 1978, Section 68 is up to date with all changes known to be in force on or before 09 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 68(2)(b) words substituted by [2002 c. 26 Sch. 5 para. 10](#) (This amendment not applied to legislation.gov.uk. Sch. 5 repealed (3.4.2006) without ever being in force by 2005 c. 4, Sch. 5 para. 125, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2, Sch. 1 paras. 12(f), 30(c))
- s. 68(4) words substituted by [2002 c. 26 Sch. 5 para. 10](#) (This amendment not applied to legislation.gov.uk. Sch. 5 repealed (3.4.2006) without ever being in force by 2005 c. 4, Sch. 5 para. 125, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2, Sch. 1 paras. 12(f), 30(c))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(1)(1A) substituted for s. 14(1) by [2002 c. 26 Sch. 12 para. 13](#) (This amendment not applied to legislation.gov.uk. Sch. 5 repealed (3.4.2006) without ever being in force by 2005 c. 4, Sch. 5 para. 125, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2, Sch. 1 paras. 12(f), 30(c))
- s. 106(3A) inserted by [2011 c. 24 \(N.I.\) s. 89\(1\)](#)