

SCHEDULES

SCHEDULE 18

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

PART 1

Acts of the Parliament of the United Kingdom

Courts Act 2003

69.—(1) Amend the Courts Act 2003(1) as follows.

(2) In section 102(8) (power to alter judicial titles: Northern Ireland) for the words from “annulment” to “accordingly” substitute “negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954)”.

(3) In section 108 (rules, regulations and orders) omit subsection (7)(b).

(4) In section 109 (minor and consequential amendments etc) after subsection (8) insert—

“(9) Any order made by the Department of Justice in Northern Ireland under subsection (4) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(2).

(10) No order containing any provision (whether alone or with other provisions) amending or repealing any Act or provision of an Act may be made by the Department of Justice in Northern Ireland under subsection (4) unless a draft has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(11) Section 41(3) of the Interpretation Act (Northern Ireland) 1954(3) applies for the purposes of subsection (10) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.

(12) Any other order made by the Department of Justice under subsection (4) is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954(4)).”

(1) 2003 c.39. Section 102 was amended by the Constitutional Reform Act 2005 (c. 4), section 15, Schedule 4, paragraph 346 and section 59, Schedule 11, paragraph 6; section 47 of the Justice and Security (Northern Ireland) Act 2007. Section 109 was amended by the Constitutional Reform Act 2005 (c. 4), section 15, Schedule 4, paragraph 349.

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

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

(4) Section 41(6) was amended by S.I. 1999/663.