
STATUTORY INSTRUMENTS

1989 No. 1339

The Limitation (Northern Ireland) Order 1989

PART V

MISCELLANEOUS AND GENERAL

Application to the Crown, etc.

74.—(1) Except as otherwise expressly provided in this Order and subject to paragraph (2), this Order applies to actions by or against the Crown in like manner as it applies to actions between subjects, and accordingly binds the Crown to the full extent authorised by the constitutional laws of Northern Ireland.

(2) Notwithstanding paragraph (1), this Order does not apply to any proceedings by the Crown—

- (a) for the recovery of any tax or duty or interest thereon of any fine or penalty due in connection with any tax or duty; or
- (b) for a forfeiture under any statutory provision; or
- (c) in respect of the forfeiture of a ship or any interest in a ship.

(3) References in this Order to actions by or against the Crown include references to actions by or (as the case may be) against—

- (a) Her Majesty in right of the Crown or of the Duchy of Lancaster or of the Duchy of Cornwall or the Duke of Cornwall for the time being;
- (b) the Crown in right of Her Majesty's Government in the United Kingdom or in right of her Majesty's Government in Northern Ireland;
- (c) any Minister, Head of a department, officer or other person acting on behalf of the Crown whether in right of Her Majesty's Government in the United Kingdom or in right of Her Majesty's Government in Northern Ireland; or
- (d) any department of either such Government and any officer or other person acting on behalf of any such department.

(4) Nothing in this Order affects the prerogative right of Her Majesty to any gold or silver mine.

(5) In this Article "ship" includes every description of vessel used in navigation not propelled by oars.