
STATUTORY INSTRUMENTS

2003 No. 435

Access to Justice (Northern Ireland) Order 2003

PART IV

SUPPLEMENTARY

Orders, regulations and directions

- 46.**—^{F1}(1)
^{F1}(2)
^{F1}(3)

(4) Any order or regulations made by the Lord Chancellor under this Order may contain such incidental, supplemental, consequential, saving or transitional provisions as the Lord Chancellor thinks fit; and, without prejudice to section 17(5) of the Interpretation Act (Northern Ireland) 1954^{F2}, any power conferred by this Order to make regulations or orders includes power to make different provision for different areas.

(5) No order shall be made under Article [^{F3}10(2)] , 29(3) or 38(3) and no regulations shall be made under Article 12(6), 18(1), 20(2)(b) or (d), [^{F4}20A,] 28, 30(2)(a) or (5), 32(1), 36 or 39(3) unless a draft of the order or regulations has been laid before, and approved by resolution of, [^{F5}the Assembly].

(6) Any other order or regulations [^{F6}made by the Department] under this Order, other than an order under Article 1(2) or 48 ^{F7}..., shall be subject to [^{F8}negative resolution].

F1	Art. 46(1)-(3) repealed (1.4.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(1), Sch. 2 para. 6(37)(a), Sch. 3 Pt. 1 (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e)(f)
F2	1954 c. 33 (NI)
F3	Word in art. 46(5) substituted (1.4.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(1), Sch. 2 para. 6(37)(b) (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e)
F4	Word in art. 46(5) inserted (1.4.2015) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(1), Sch. 2 para. 6(37)(b) (with ss. 2(3), 9, Sch. 1 para. 3(3)); S.R. 2015/193, art. 2(e)
F5	Words in art. 46(5) substituted (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. 157 (with arts. 28-31); S.I. 2010/977, art. 1(2)
F6	Words in art. 46(6) inserted (18.11.2014) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(2)(d)(iv), Sch. 2 para. 6(37)(c) (with ss. 2(3), 9, Sch. 1 para. 3(3))
F7	Words in art. 46(6) repealed (18.11.2014) by Legal Aid and Coroners' Courts Act (Northern Ireland) 2014 (c. 11), s. 12(2)(d)(iv), Sch. 2 para. 6(37)(c), Sch. 3 Pt. 1 (with ss. 2(3), 9, Sch. 1 para. 3(3))

Changes to legislation: *Access to Justice (Northern Ireland) Order 2003, Section 46 is up to date with all changes known to be in force on or before 15 May 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. (See end of Document for details) View outstanding changes*

F8 Words in art. 46(6) substituted (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. 159** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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

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

- Sch. 2 para. 2(ic)(id) inserted by [2023 c. 37 s. 56\(8\)](#)
- Sch. 4 para. 10(b)(c) coming into force by [S.R. 2015/194 art. 2Sch.](#) (This amendment is not be applied - relevant text is not available on [legislation.gov.uk](#))
- art. 14(2AA) inserted by [2023 c. 37 s. 56\(7\)](#)
- art. 27A inserted by [2011 c. 24 \(N.I.\) s. 84\(2\)](#)
- art. 27A(1)(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(28\)](#)
- art. 46(5A) inserted by [2011 c. 24 \(N.I.\) s. 84\(4\)](#)