

*Status: Point in time view as at 06/04/2005.*

*Changes to legislation: Judicature (Northern Ireland) Act 1978, (2) Acts of the Irish Parliament and Parliament of Northern Ireland is up to date with all changes known to be in force on or before 09 July 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)*

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART II

#### SPECIFIC AMENDMENTS

#### (2) ACTS OF THE IRISH PARLIAMENT AND PARLIAMENT OF NORTHERN IRELAND

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

- C1** The text of Sch. 5 Pt. II(2)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

#### *The Habeas Corpus Act (Ireland) 1781*<sup>M1</sup>

##### Marginal Citations

- M1** 1781 c. 11 (Ir).

In section 2 for the words from “in the court of the King’s bench” to “case shall require” substitute the words “in the Crown Court”.

In section 8 for the words “judge of assize” substitute the words “judge of the Crown Court”.

#### *The Bankruptcy Amendment Act (Northern Ireland) 1929*<sup>M2</sup>

##### Marginal Citations

- M2** 1929 c. 1. (N.I.).

In section 21(1) for the words from the beginning to “providing” substitute the words “Rules of Court may provide” and for the words from the end of paragraph (b) onwards substitute the words “and may provide for any matters for which provision may be necessary in order to give full effect to this section and prescribe anything which is to be prescribed thereunder”.

In section 28(1)—

- (a) in the definition of “The court” for the words from “a judge” to the end substitute the words “the High Court” ;

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(b) in the definition of “Prescribed” for the words from “section sixty-one” to the end substitute the words “section 55 of the Judicature (Northern Ireland) Act 1978”.

*The Motor Vehicles and Road Traffic Act (Northern Ireland) 1929*<sup>M3</sup>

**Marginal Citations**

**M3** 1929 c. 21 (N.I.).

In section 7(3) for the words from “such division or court of the Supreme Court” to the end substitute the words “the Court of Appeal and the decision of that Court shall be final”.

*The Planning and Housing Act (Northern Ireland) 1931*<sup>M4</sup>

**Marginal Citations**

**M4** 1931 c. 12. (N.I.).

In section 34(4) and (5) for the words “Supreme Court” wherever they occur substitute the words “Court of Appeal”.

In section 45(3) for the words “Supreme Court” substitute the words “High Court”.

*The Evidence Act (Northern Ireland) 1939*<sup>M5</sup>

**Marginal Citations**

**M5** 1939 c. 12. (N.I.).

In section 5(1) after the words “rules of court” insert the words “and county court rules”.

*The Matrimonial Causes Act (Northern Ireland) 1939*<sup>M6</sup>

**Marginal Citations**

**M6** 1939 c. 13. (N.I.).

In the long title and in section 1 for the words “Supreme Court” substitute the words “High Court”.

In section 4(1)(a) for sub-paragraph (i) substitute—

“(i) an order of the High Court; or”.

For section 27(2) substitute—

“(2) Rules of court may be made under section 55 of the Judicature (Northern Ireland) Act 1978 for prescribing anything which by this Act is to be prescribed”.

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In section 30(1) for the definition of “High Court” substitute— “ “High Court” includes the Master (Probate and Matrimonial) exercising such jurisdiction of the court as may be prescribed in that behalf by rules made under section 55 of the Judicature (Northern Ireland) Act 1978 ”.

In section 30(1) in the definition of “Presentation” for the words “Principal Probate Registry” substitute the words “Probate and Matrimonial Office”.

*The Landlord and Tenant (War Damage) Act (Northern Ireland) 1941 <sup>M7</sup>*

**Marginal Citations**

**M7** 1941 c. 9. (N.I.).

For section 33(7) substitute—

“(7) If any party to any proceedings in the county court under this Act is dissatisfied with the order, determination, direction or decision of the court he may appeal therefrom to the High Court”

In section 38(1) in the definition of “rules of court” for the words from “require” to the end substitute the words “require, rules under section 55 of the Judicature (Northern Ireland) Act 1978.”.

*The Criminal Justice Act (Northern Ireland) 1945 <sup>M8</sup>*

**Marginal Citations**

**M8** 1945 c. 15. (N.I.).

In section 35(1) for the words “a court of assize or of quarter sessions” substitute the words “the Crown Court or a county court”.

In section 35(7) for the words “the rules under this Act” substitute the words “Crown Court rules”.

**F1**

**Textual Amendments**

**F1** Sch. 5 Pt. II: entry relating to the Probation Act (Northern Ireland) 1950 repealed (1.1.1998) by [S.I. 1996/3160](#) (NI 24) art. 58(3), Sch. 7; [S.R. 1997/523](#), [art. 2\(k\)](#)

*The Prison Act (Northern Ireland) 1953 <sup>M9</sup>*

**Marginal Citations**

**M9** 1953 c. 18. (N.I.).

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In section 6 for the words “a court of assize or quarter sessions” substitute the words “the Crown Court”.

.....

*The Administration of Justice Act (Northern Ireland) 1954<sup>M10</sup>*

**Marginal Citations**

**M10** 1954 c. 9. (N.I.).

For section 11 substitute—

**“11 Local custody and control of courthouse accommodation.**

The Lord Chancellor may give directions as the local custody and control of any courthouse accommodation provided or maintained under this Act.”.

In section 14(1) for the words from the beginning to “on behalf of the Ministry” substitute the words “The Lord Chancellor” and for the word “Ministry” where it twice occurs substitute the words “Lord Chancellor”.

*The Interpretation Act (Northern Ireland) 1954<sup>M11</sup>*

**Marginal Citations**

**M11** 1954 c. 33. (N.I.).

In section 21—

(a) in subsection (2) for the words “Ministry of Finance” substitute the word “Treasury”;

(b) for subsection (4) substitute—

“(4) In any enactment—

“rules of court” shall mean rules of court made, or having effect as if made, under section 55 of the Judicature (Northern Ireland) Act 1978;

“Crown Court rules” shall mean rules made under section 52 of the Judicature (Northern Ireland) Act 1978.”;

(c) in subsection (6) after paragraph (a) insert—

“(aa) in relation to the Crown Court, references to the Crown Court rules;”.

In section 42—

(a) in subsection (1) for the definition of “county court” substitute—

““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 Act (Northern Ireland) 1959;”;

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(b) in subsection (3) for the definition of “Probate Judge” substitute—

““Probate Judge” shall mean the Judge of the High Court to whom probate business and matters are for the time being assigned.”.

*The Trustee Act (Northern Ireland) 1958*<sup>M12</sup>

**Marginal Citations**

**M12** 1958 c. 23. (N.I.).

In sections 35(9) and 57(4) for the words “Lord Chief Justice or Registrar in Lunacy” substitute the words “High Court or the Master (Care and Protection)”.

In section 67 omit the definition of “pay” and at the end of section 66 add—

“(3) Any reference in this Act to paying money or securities into court shall be construed as referring to paying the money or transferring or depositing the securities into or in the Supreme Court or into or in the county court that has jurisdiction, and any reference in this Act to payment of money or securities into court shall be construed—

- (a) with reference to an order of the High Court, as referring to payment of the money or transfer or deposit of the securities into or in the Supreme Court; and
- (b) with reference to an order of a county court, as referring to payment of money or transfer or deposit of the securities into or in the court.”.

*The Coroners Act (Northern Ireland) 1959*<sup>M13</sup>

**Marginal Citations**

**M13** 1959 c. 15. (N.I.).

In section 1, for the words from the beginning to “responsible” substitute the words “The Lord Chancellor shall be responsible”.

In section 2(1), for the words from the beginning to “may appoint” substitute the words “The Lord Chancellor may appoint” and for the words from “the Minister, after” to the end substitute the words “the Lord Chancellor, after consultation with the Treasury, may determine and may also, in exercise of his powers under section 69 of the Judicature (Northern Ireland) Act 1978, appoint coroner’s officers and other officers to assist coroners”.

In sections 2(2) and 3 for the word “Minister” substitute the words “Lord Chancellor”.

F2  
...

**Textual Amendments**

**F2** Sch. 5 Pt. II: entry relating to s. 2(3) repealed (15.10.2002) by 2002 c. 26, s. 86, Sch. 13; S.R. 2002/319, art. 2 Sch.

In section 5 for the words from “moneys” to the end substitute the words “moneys provided by the Parliament of the United Kingdom”.

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In section 6(2) for the word “Minister” where it twice occurs substitute the words “Lord Chancellor”.

In sections 11(3), 26 and 27(2) for the word “Ministry” wherever it occurs substitute the words “Lord Chancellor”.

In section 36(1) for the words from the beginning to the end of paragraph (a) substitute—

- ( The Lord Chancellor may by rules—
- (a) made after consultation with the Treasury, make provision with respect to the records, accounts and returns which the Lord Chancellor may require coroners to keep and submit to him and with respect to information to be supplied by coroners;”.

For section 36(2) substitute—

- “(2) The Lord Chancellor may with the consent of the Minister of the Civil Service determine—
- (a) the salaries or fees and superannuation to be paid to coroners and to registered medical practitioners employed under section 27(2);
  - (b) the fees and allowances payable to person assisting at the post-mortem examinations;
  - (c) the allowances payable to witnesses under this Act.”.

*The County Courts Act (Northern Ireland) 1959<sup>M14</sup>*

**Marginal Citations**

**M14** 1959 c. 25. (N.I.).

F3

**Textual Amendments**

**F3** Entries relating to [County Courts Act \(Northern Ireland\) 1959 \(c. 25\)](#) (N.I.), ss. 3(1), 5, 6(2), 6(4)(a), 33(3)(a), 36, 38, 55, 63, 71(3), 114, 142(1), 144, 145(1), 146, 147, 152(1) repealed by [S.I. 1980/397](#) (N.I. 3), [art. 69\(2\)](#), [Sch. 3](#)

[<sup>F4</sup>In section 105—

**Textual Amendments**

**F4** [Sch. 5 Pt. II](#): entry relating to s. 105 repealed (15.10.2002 in regard to s. 105(3) and otherwise prosp.) by 2002 c. 26, s. 86, [Sch. 13](#); S.R. 2002/319, [art. 2](#), [Sch.](#)

(a) For subsection (1) substitute—

- “(1) Subject to subsection (1A), the Lord Chancellor may, if he thinks fit, remove a judge from office on the ground of incapacity or misbehaviour.

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(1A) Subsection (1) shall not apply to a judge holding office immediately before 1st January 1974 but—

- (a) subject to paragraph (b), every such judge shall hold office during good behaviour subject to a power of removal by Her Majesty on an address presented to Her Majesty by both Houses of Parliament of the United Kingdom;
- (b) where the Lord Chancellor is satisfied that by reason of infirmity of mind or body any such judge is incapable of discharging the duties of his office, and that the incapacity is likely to be permanent, he may, upon hearing any representations made by or on behalf of the judge, remove him from office.”;

(b) in subsection (4) for the words “and (2)” substitute the words “and (1A)”.]

For section 106 substitute—

#### “106 Salaries and allowances of judges.

- (1) There shall be paid to each judge such salary as may be determined by the Lord Chancellor with the consent of the Minister for the Civil Service.
- (2) The salary payable to any judge shall begin from the date on which the judge takes the oaths required by section 105(3).
- (3) The Lord Chancellor with the approval of the Minister for the Civil Service may allow to any judge, for the purposes of defraying his travelling and subsistence expenses, such sum as appears reasonable.”.

... F5

#### Textual Amendments

**F5** Entries relating to [County Courts Act \(Northern Ireland\) 1959 \(c. 25\)](#) (N.I.), ss. 3(1), 5, 6(2), 6(4)(a), 33(3)(a), 36, 38, 55, 63, 71(3), 114, 142(1), 144, 145(1), 146, 147, 152(1) repealed by [S.I. 1980/397](#) (N.I. 3), art. 69(2), [Sch. 3](#)

In section 116—

(a) for the words “Ministry of Finance” wherever they occur substitute the words “Minister for the Civil Service”;

(b) for the word “Minister” wherever it occurs substitute the words “Lord Chancellor”;

(c) for the word “Governor” in subsection (4) substitute the words “Lord Chancellor”.

In sections 123(2), 125(3) and 126, for the words “Ministry of Finance” wherever they occur substitute the words “Minister for the Civil Service”.

In section 132 for the word “Ministry” substitute the words “Lord Chancellor”.

For section 134 substitute—

#### “134 Evidence of health.

Before recommending any person to Her Majesty for appointment as a county court judge, the Lord Chancellor shall take steps to satisfy himself that that person’s health is satisfactory.”.

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In section 136 for the words from the beginning to the beginning of paragraph (a) substitute the words “There shall be charged on and paid out of the Consolidated Fund of the United Kingdom” and for the words “Ministry of Finance” substitute the word “Treasury”.

In section 137 for the words from “provided by” to “all expenses” substitute the words “provided by the Parliament of the United Kingdom all expenses”.

... F6

#### Textual Amendments

**F6** Entries relating to [County Courts Act \(Northern Ireland\) 1959 \(c. 25\)](#) (N.I.), ss. 3(1), 5, 6(2), 6(4)(a), 33(3)(a), 36, 38, 55, 63, 71(3), 114, 142(1), 144, 145(1), 146, 147, 152(1) repealed by [S.I. 1980/397](#) (N.I. 3), art. 69(2), **Sch. 3**

#### *The Resident Magistrates’ Pensions Act (Northern Ireland) 1960*<sup>M15</sup>

#### Marginal Citations

**M15** [1960 c. 2](#).(N.I.).

In section 1 for the words from “on attaining the age of seventy years” to the end substitute the words “at the end of the completed year of service in which he attains the age of seventy; but where the Lord Chancellor considers it desirable in the public interest to retain him in office after that time, the Lord Chancellor may from time to time authorise him to continue in office up to such age, not exceeding seventy-two, as the Lord Chancellor thinks fit”.

... F7

#### Textual Amendments

**F7** Entries relating to [Companies Act \(Northern Ireland\) 1960 \(c. 22\)](#) (N.I.), ss. 349(9), 389(1)(3) repealed by [S.I. 1986/1035](#) (N.I. 9), art. 24, **Sch. 2**

... F8

#### Textual Amendments

**F8** Entries relating to [Mental Health Act \(Northern Ireland\) 1961 \(c. 15\)](#) (N.I.), ss. 1(1)(f), 25, 45, 48(1), 55(1), 56(6), 59(2)(a)–(c), 63(2), 69(1)(d), 73(1), 74, 79(4), 87(1)(2), 101(8)(a), 111(2), 117(2) repealed by [S.I. 1986/595](#) (N.I. 4), art. 138, **Sch. 7**

#### *The Electoral Law Act (Northern Ireland) 1962*<sup>M16</sup>

#### Marginal Citations

**M16** [1962 c. 14](#).(N.I.).

For section 72(2) substitute—



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“(2) An election court for the trial of petitions relating to parliamentary elections (in this Act referred to as a “parliamentary election court”) shall consist of the two judges of the High Court or the Court of Appeal for the time being selected under section 108 of the Judicature (Northern Ireland) Act 1978.”.

In section 83(2), (3) and (4) for the words “Supreme Court” substitute the words “Court of Appeal”.

In paragraph 17(2) of Schedule 3, for the words “Supreme Court” substitute the words “Court of Appeal”.

...  
F9

#### Textual Amendments

**F9** Entries relating to [County Courts Appeals Act \(Northern Ireland\) 1964 \(c. 3\)](#) (N.I.) repealed by [S.I. 1980/397 \(N.I. 3\)](#), art. 69(2), [Sch. 3](#)

#### *The Magistrates’ Courts Act (Northern Ireland) 1964*<sup>M17</sup>

#### Marginal Citations

**M17** [1964 c. 21.](#) (N.I.).

For section 3 substitute—

#### “3 Justices of the peace.

Justices of the peace shall be appointed in accordance with section 103 of the Judicature (Northern Ireland) Act 1978.”.

In section 6(1) for the words from “member of” to the end substitute the words “member of the Northern Ireland Court Service, notary public or commissioner for oaths”.

...  
F10

#### Textual Amendments

**F10** [Sch. 5 Pt. II:](#) entry relating to s. 7 repealed (15.10.2002) by [2002 c. 26, s. 86](#), [Sch. 13](#); [S.R. 2002/319](#), [art. 2 Sch.](#)

In section 10(1) for the word “Governor” wherever it occurs substitute the words “Lord Chancellor” and for the words “being persons who are eligible for appointment as, or have previously been, resident magistrates”.

For section 11 substitute—

#### “11 Removal of resident magistrates from office.

(1) Subject to subsection (2) and to section 1 of the Resident Magistrates’ Pensions Act (Northern Ireland) 1960, every resident magistrate shall hold his office during good

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behaviour, but may be removed from his office by the Lord Chancellor on the ground of incapacity or misbehaviour.

- (2) Subsection (1) shall not apply to a resident magistrate holding office immediately before 1st January 1974 but, subject to section 1 of the Resident Magistrates’ Pensions Act (Northern Ireland) 1960, every such resident magistrate shall hold office during good behaviour subject to a power of removal by Her Majesty on an address presented to Her Majesty by both Houses of Parliament of the United Kingdom.”.

In section 12(1) for the words from the beginning to “the salaries” substitute the words “make an application for the judicial review to the Minister for the Civil Service, determine the salaries”.

... F11

**Textual Amendments**

**F11** Entries relating to [Magistrates' Courts Act \(Northern Ireland\) 1964 \(c. 21\)](#) (N.I.) (except the entries relating to ss. 3, 6(1), 7, 10(1), 11, 12(1) and 168(2) ) repealed by [S.I. 1981/1675 \(N.I. 26\)](#), [Sch. 7](#)

For section 168, substitute—

**“168 Expenses.**

- (1) .....
- (2) There shall be charged on and paid out of the Consolidated Fund of the United Kingdom the salaries payable to resident magistrates under this Act or the Resident Magistrates (Belfast) Act 1911.
- (3) .....

*The Lands Tribunal and Compensation Act (Northern Ireland) 1964<sup>M18</sup>*

**Marginal Citations**

**M18** [1964 c. 29](#).(N.I.).

In section 2—

(a) in subsection (1) for the words “subsection (4)” substitute the words “subsections (4) and (4A)” and;

(b) after subsection (4) insert—

“(4A) Without prejudice to subsection (4), a member of the Lands Tribunal holding office immediately before 1st January 1974 may be removed from office by Her Majesty upon an address presented to Her Majesty by both Houses of the Parliament of the United Kingdom.”

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*The Charities Act (Northern Ireland) 1964*<sup>M19</sup>

**Marginal Citations**

**M19** 1964 c. 33.(N.I.).

In section 30(1) for the words “The chief registrar of the Principal Probate Registry of the High Court” substitute the words “The Master (Probate and Matrimonial)” and for the words from “that Registry” to the end substitute the words “the Probate and Matrimonial Office, or of which a copy has been forwarded to him from a branch office of that Office.”.

F12

**Textual Amendments**

**F12** Entries relating to [Legal Aid and Advice Act \(Northern Ireland\) 1965 \(c. 8\)](#) (N.I.) repealed by [S.I. 1981/228 \(N.I. 8\)](#), art. 42(4), **Sch. 4**

**Textual Amendments**

**F12** Entries relating to [Legal Aid and Advice Act \(Northern Ireland\) 1965 \(c. 8\)](#) (N.I.) repealed by [S.I. 1981/228 \(N.I. 8\)](#), art. 42(4), **Sch. 4**

*The Maintenance and Affiliation Orders Act (Northern Ireland) 1966*<sup>M20</sup>

**Marginal Citations**

**M20** 1966 c. 35.(N.I.).

In section 10(2) after paragraph (e) insert—

“(f) section 27 of the Judicature (Northern Ireland) Act 1978”

F13

**Textual Amendments**

**F13** Entry relating to [Building Societies Act \(Northern Ireland\) 1967 \(c. 31\)](#) (N.I.) s. 98 repealed by [Building Societies Act 1986 \(c. 53, SIF 16\)](#), s. 120(2)(3), **Sch. 19 Pt. III**

**Textual Amendments**

**F13** Entry relating to [Building Societies Act \(Northern Ireland\) 1967 \(c. 31\)](#) (N.I.) s. 98 repealed by [Building Societies Act 1986 \(c. 53, SIF 16\)](#), s. 120(2)(3), **Sch. 19 Pt. III**

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### *The Costs in Criminal Cases Act (Northern Ireland) 1968*<sup>M21</sup>

#### **Marginal Citations**

**M21** [1968 c. 10.\(N.I.\)](#).

In section 4 for the words “Court of Criminal Appeal” wherever they occur substitute the words “Court of Appeal”.

For section 7 substitute—

#### **“7 Rules relating to costs.**

Rules of court, Crown Court rules, county court rules and magistrates’ court rules may provide for the rates or scales of payment of costs under section 2 to 5 in so far as those sections relate to costs in the Court of Appeal, the Crown Court, county courts and magistrates’ courts respectively.”.

### *The Treatment of Offenders Act (Northern Ireland) 1968*<sup>M22</sup>

#### **Marginal Citations**

**M22** [1968 c. 29 \(N.I.\)](#)

In sections 19(4), 20(3), 21(3), 25 and 29(1) for the words “a court of assize or county court” wherever they occur substitute the words “the Crown Court”.

In section 19(4) for the words “the judge of the court of assize or county court, as the case may be” substitute the words “the judge of the Crown Court”.

In section 20(1) for the words from “any court of assize” to “brought or” substitute the words “the Crown Court or”.

In section 20(5) for the words “sentenced or ordered to be detained” substitute the word “tried”.

In section 21(1) for the words “or county borough” substitute the words “court division”.

In section 21(2) for the words “High Court judge or a county court judge” substitute the words “judge of the Crown Court”.

... **F14**

#### **Textual Amendments**

**F14** Entry relating to [Treatment of Offenders Act \(Northern Ireland\) 1968 \(c. 29\)](#) (N.I.), s. 25(3) repealed by [S.I. 1989/1344 \(N.I. 15\)](#), art. 14(2), **Sch. 2**

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*The Children and Young Persons Act (Northern Ireland) 1968*<sup>M23</sup>

**Marginal Citations**

**M23** 1968 c. 34 (N.I.).

F15  
...

**Textual Amendments**

**F15** Sch. 5 Pt. II: entries repealed (31.1.1999) by S.I. 1998/1504 (N.I. 9), arts. 1(2), 65(2), **Sch. 6**; S.R. 1999/25, **art. 2(d)**

F15  
...

F15  
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F15  
...

In [<sup>F16</sup>secti on] 178(4) and in paragraphs (1(1) and 3(2) of Schedule 2 for the words “or county borough” and “county borough” wherever they occur substitute the words “court division”.

**Textual Amendments**

**F16** Words in entry in Sch. 5 Pt. II substituted (31.1.1999) by S.I. 1998/1504 (N.I. 9), arts. 1(2), 65(1), **Sch. 5 para. 8**; S.R. 1999/25 art. 2(c)

F17  
...

**Textual Amendments**

**F17** Sch. 5 Pt. II: entry repealed (4.11.1996) by S.I. 1995/755 (N.I. 2), arts. 1(2), 185(2), **Sch. 10** (with Sch. 8 para. 1(1), 23(4)); S.R. 1996/297, **art. 2(2)**

In section 178, as originally enacted, for the word “Ministry” where it twice occurs substitute the words “Lord Chancellor”.

In Schedule 2—

- (a) in paragraph 1(2) for the word “Governor” substitute the words “Lord Chancellor”;
- (b) in paragraphs 1(3) and 8 for the word “Ministry” wherever it occurs substitute the words “Lord Chancellor”;
- (c) at the end of paragraph 1(4) add the words “by regulations made under paragraph 8”;

F18  
...

*Status: Point in time view as at 06/04/2005.*

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### Textual Amendments

**F18** [Sch. 5 Pt. II](#): entry relating to Sch. 2 para. 2(2) repealed (15.10.2002) by [2002 c. 26, s. 86, Sch. 13](#); [S.R. 2002/319](#), [art. 2 Sch.](#)

(e) in paragraph 6 for the words “The Ministry may pay” substitute the words “The Lord Chancellor may, out of money provided by the Parliament of the United Kingdom, pay” and for the words from “Ministry may determine” to the end substitute the words “Lord Chancellor may, with the approval of the Minister for the Civil Service determine”;

(f) at the end of paragraph 8 add—

“(d) be subject to annulment in pursuance of resolution if either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instrument Act 1946 shall apply accordingly.”

### *The Grand Jury (Abolition) Act (Northern Ireland) 1969*<sup>M24</sup>

### Marginal Citations

**M24** [1969 c. 15](#) (N.I.).

In section 2(1) for the words “a court of assize or to a county court” substitute the words “the Crown Court”.

In section 2(2)(c) for the words “Court of Criminal Appeal” substitute the words “Court of Appeal”.

In section 2(2)(e) for the words “Supreme Court or a county court judge” substitute the words “High Court, Court of Appeal or Crown Court”.

In section 2(3) for the words “a court of assize or a county court” substitute the words “the Crown Court”.

### *The Judgments (Enforcement) Act (Northern Ireland) 1969*<sup>M25</sup>

### Marginal Citations

**M25** [1969 c. 30](#) (N.I.).

**F19** . . . **F20**

### Textual Amendments

**F19** Entries relating to [Judgments \(Enforcement\) Act \(Northern Ireland\) 1969 \(c. 30\)](#) (N.I.), except those relating to s. 128(1) and Pt. II of Sch. 4 to that Act repealed by [S.I. 1981/226 \(N.I. 6\)](#), [Sch. 4](#)

**F20** Entry relating to [Judgments \(Enforcement\) Act \(Northern Ireland\) 1969 \(c. 30\)](#) (N.I.) s. 128(1) repealed by [S.I. 1981/233](#), [Sch. 1 Pt. I](#)

**F19**  
 . . .

*Status: Point in time view as at 06/04/2005.*

*Changes to legislation: Judicature (Northern Ireland) Act 1978, (2) Acts of the Irish Parliament and Parliament of Northern Ireland is up to date with all changes known to be in force on or before 09 July 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)*

...

In Part II of Schedule 4 in the amendment to the <sup>M26</sup>Irish Bankrupt and Insolvent Act 1857 for the word “regulations” substitute the word “rules”.

**Marginal Citations**

**M26** [1857 c. 60.](#)

*The Nurses and Midwives Act (Northern Ireland) 1970* <sup>M27</sup>

**Marginal Citations**

**M27** [1970 c. 11 \(N.I.\).](#)

In section 46(3) for the words “The Attendance of Witnesses Act 1854” substitute the words “Section 67 of the Judicature (Northern Ireland) Act 1978”.

*The Registration of Deeds Act (Northern Ireland) 1970* <sup>M28</sup>

**Marginal Citations**

**M28** [1970 c. 25 \(N.I.\).](#)

In section 3(7) for the words “Supreme Court” substitute the words “High Court or the Court of Appeal”.

*The Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971* <sup>M29</sup>

**Marginal Citations**

**M29** [1971 c. 7 \(N.I.\).](#)

In sections 5(4) and 11(4) for the words “Registrar of the Department for the Affairs of Patients (Northern Ireland)” substitute the words “Master (Care and Protection)”.

In section 5(7) for the words “Lord Chief Justice” wherever occurring substitute the words “the High Court”. <sup>F21</sup>

**Textual Amendments**

**F21** Entry relating to [Licensing Act \(Northern Ireland\) 1971 \(c. 13\) \(N.I.\)](#) repealed by [S.I. 1990/594 \(N.I. 6\)](#), art. 90(4), [Sch. 13](#)

...

*Status: Point in time view as at 06/04/2005.*

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*The Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971 <sup>M30</sup>*

**Marginal Citations**

**M30** [1971 c. 30 \(N.I.\)](#).

In section 3 for the words “rules made under section 13” substitute the words “Judgement Enforcement Rules”.

In section 9(3) for the words “a Judge of the High Court” substitute the words “the Court of Appeal”.

In section 9(4) for the words “Judge of the High Court” substitute the words “High Court or the Court of Appeal”.

In section 16(1)—

- (a) in the definition of “appropriate authority” for the words “Minister of Home Affairs” substitute the words “Lord Chancellor”;
- (b) in the definition of “Master” for the words “for the enforcement of judgements” substitute the words “(Enforcement of Judgements)” and for the words “designated officer” substitute the words “Judicial Officer (Enforcement of Judgements)”.
- (3) **Orders in Council**

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

**C2** The text of Sch. 5 Pt. II(2)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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

**C2** The text of Sch. 5 Pt. II(2)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

*The Northern Ireland (Crown Proceedings) Order 1949 <sup>M31</sup>*

**Marginal Citations**

**M31** [S.I. 1949/1836](#).

In Article 3(3) for the words from the beginning to “1897” substitute the words “The expression “rules of court” shall mean rules made under section 55 of the Judicature (Northern Ireland) Act 1978”.



*Status: Point in time view as at 06/04/2005.*

*Changes to legislation: Judicature (Northern Ireland) Act 1978, (2) Acts of the Irish Parliament and Parliament of Northern Ireland is up to date with all changes known to be in force on or before 09 July 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)*

*The Prosecution of Offences (Northern Ireland) Order 1972* <sup>M32</sup>

**Marginal Citations**

**M32** [S.I. 1972/538 \(N.I. 1\)](#).

In Article 4(10)(a), before the words “any county court or” insert the words “the Crown Court or in”.

In Article 5(1)(g) for the words “certiorari, mandamus, prohibition or other prerogative order or injunction” substitute the words “judicial review”.

*[<sup>F22</sup> The Health and Personal Social Services (Northern Ireland) Order 1972* <sup>M33</sup>

**Textual Amendments**

**F22** Sch. 5 Pt. II: entry repealed (N.I.) (2.4.2001) by [2001 c. 3 \(N.I.\)](#), s. 60, [Sch. 5](#); [S.R. 2001/128](#), art. 2(4), [Sch.](#)

**Marginal Citations**

**M33** [S.I. 1972/1265 \(N.I. 14\)](#).

In paragraph 4 of Schedule 11 Part I, for the words “Supreme Court” substitute the words “Court of Appeal”.]

“division” means a county court division within the meaning of the County Courts Act (Northern Ireland) 1959;

“the Juries Officer” in relation to a division means such officer of the Northern Ireland Court Service as the Lord Chancellor may designate to be the Juries Officer for that division.

In Article 4(2) for the words from the beginning to “area who” substitute the words “The Chief Electoral Officer shall arrange to be sent to the Juries Officer for each division a list of those Persons selected who reside in the division and the Juries Officer”.

In Article 4(3)(b), (6) (where it first occurs) and 9(c) and Article 5(3) for the word “area” substitute the word “division”.

In Article 4(4) and (5) for the words “Area Provisional Jurors List” substitute the words “list referred to in paragraph (2)”.

In Articles 4(5), (6) and (7) and 5(3) and (4) for the word “Area” wherever it occurs substitute the word “Divisional”.

In Schedule 2—

(a) at the end of the entry relating to officers of the Northern Ireland Office add the words “and officers of the Lord Chancellor’s Office certified by the Lord Chancellor to be so engaged”.

(b) after that entry insert—

“Members of the Northern Ireland Court Service.”;

*Status: Point in time view as at 06/04/2005.*

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(c) after the entry relating to members and staff of the Police Authority for Northern Ireland insert—

“Members and staff of the Police Complaints Board for Northern Ireland”;

(d) after the entry relating to persons in the Northern Ireland Civil Service insert—

“The Chief Electoral Officer for Northern Ireland and persons appointed to assist him.”

...

### *The Treatment of Offenders (Northern Ireland) Order 1976*<sup>M34</sup>

#### **Marginal Citations**

**M34** [S.I. 1976/226 \(N.I. 4\)](#).

In Articles <sup>F24</sup> . . . , 5(3)(a), <sup>F24</sup> . . . <sup>F24</sup> . . . <sup>F24</sup> . . . <sup>F24</sup> . . . for the words “a court of assize or county court” wherever they occur substitute the words “the Crown Court”.

#### **Textual Amendments**

**F24** Sch. 5 Pt. II: entries relating to arts. 2, 9, 10, 14 and 15 of the Treatment of Offenders (Northern Ireland) Order 1976 repealed (1.1.1998) by [S.I. 1996/3160](#), art. 58(3), [Sch. 7](#)

In Article 3(4) for the words “a court of assize or county court” substitute the words “the Crown Court”.

In Article 3(5) for the words “a court under paragraph (4), that court” substitute the words “under paragraph (4), the Crown Court”.

In Article 5(1)(b) for the words “or county borough” substitute the words “court division”.

In Article 5(3)(b) for the words “the court referred to in sub-paragraph (a)” substitute the words “the Crown Court”.

In Article 5(4) for the words “such court of assize or county court as it considers convenient” substitute the words “the Crown Court”.

In Articles 9(3)(b), 9(4), 10(2) and 10(3) for the words “the court of assize or county court, as the case may be” wherever they occur substitute the words “the Crown Court”.

In Article 9(4) for the words “that court of assize or county court” substitute the words “the Crown Court”.<sup>F25</sup> . . .

#### **Textual Amendments**

**F25** Entry relating to Treatment of Offenders (Northern Ireland) Order 1976, art. 14 repealed by [S.I. 1989/1344 \(N.I. 15\)](#), art. 14(2), [Sch. 2](#)

In Article 15(3) for the words “the court of assize or county court” substitute the words “the Crown Court” and for the words “the court of assize or county court, as the case may be” substitute the words “that court”.

*Status: Point in time view as at 06/04/2005.*

**Changes to legislation:** *Judicature (Northern Ireland) Act 1978, (2) Acts of the Irish Parliament and Parliament of Northern Ireland is up to date with all changes known to be in force on or before 09 July 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)*

### *The Solicitors (Northern Ireland) Order 1976*<sup>M35</sup>

#### **Marginal Citations**

**M35** [S.I. 1976/582 \(N.I. 12\)](#).

**F26**

...

#### **Textual Amendments**

**F26** Entry relating to Solicitors (Northern Ireland) Order 1976, articles 15(1), 37(2), 64(1)(a) and 64(2) repealed by [S.I. 1989/1343 \(N.I. 14\)](#), art. 27(3), [Sch. 4](#)

In Article 75(3) for the words “section 7 of the Northern Ireland Act 1962” substitute “section 55 of the Judicature (Northern Ireland) Act 1978”.

In Article 81(a) for the words “the Court of Criminal Appeal” substitute the words “the Crown Court”.

### *The Sexual Offences (Northern Ireland) Order 1978*<sup>M36</sup>

#### **Marginal Citations**

**M36** [S.I. 1978/460 \(N.I. 5\)](#).

In Articles 6(2) and 8(3) for the words “county court or the High Court” substitute the words “Crown Court”.

In Articles 6(4) and 7(2) for the words “Court of Criminal Appeal” wherever they occur substitute the words “Court of Appeal”.

**Status:**

Point in time view as at 06/04/2005.

**Changes to legislation:**

Judicature (Northern Ireland) Act 1978, (2) Acts of the Irish Parliament and Parliament of Northern Ireland is up to date with all changes known to be in force on or before 09 July 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.