



# Northern Ireland (Miscellaneous Provisions) Act 1945

## 1945 CHAPTER 12

### 8 Winding-up of lunacy fund

- (1) As soon as may be after the passing of this Act, the lunacy fund in Northern Ireland shall be wound up and the assets thereof transferred to the Exchequer of Northern Ireland.
- (2) All fees and percentages under the Lunacy Regulation (Ireland) Act, 1871, shall, in accordance with directions given by the Treasury, be "paid into the Exchequer of the United Kingdom, and the power of the Lord Chief Justice of Northern Ireland intrusted as aforesaid under section one hundred and seventeen of that Act to direct that any expenses incident to the lunacy office in Northern Ireland be paid out of the fees of that office shall cease.
- (3) The power of the Lord Chief Justice of Northern Ireland intrusted as aforesaid under section one hundred and twelve of the Lunacy Regulation (Ireland) Act, 1871, to fix fees and rates of percentage—
  - (a) shall be exercised subject to the concurrence of the Treasury ;
  - (b) shall, as respects rates of percentage, extend to the fixing thereof (with or without overriding limits as respects the amounts to be payable by any estate) without regard to the rates and limits specified in section one hundred and nine of that Act ;
  - (c) shall, as respects fees, extend to the fixing of fees exceeding the scale in force at the date of the passing of that Act.
- (4) There may be paid to the registrar and to the officers and clerks employed in the lunacy office in Northern Ireland such salaries and travelling and other allowances as the Lord Chief Justice of Northern Ireland intrusted as aforesaid may, with the concurrence of the Treasury, determine.
- (5) There may be paid to the medical visitors, the legal visitors and the solicitor for minors and persons of unsound mind such remuneration and travelling and other allowances upon such conditions as may from time to time be specified by general order made,

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*Status: This is the original version (as it was originally enacted).*

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with the concurrence of the Treasury, by the Lord Chief Justice of Northern Ireland intrusted as aforesaid, and costs and expenses incurred by any of them in such proceedings instituted pursuant to the provisions of the Lunacy Regulation (Ireland) Act, 1871, and on such scale as may be so specified.

- (6) There shall be defrayed out of moneys provided by the Parliament of the United Kingdom—
  - (a) all such salaries, allowances, remuneration, costs and expenses as are mentioned in 'the two last preceding subsections ; and
  - (b) such other expenses incident to the lunacy office in Northern Ireland as the Lord Chief Justice of Northern Ireland intrusted as aforesaid may, with the concurrence of the Treasury, direct to be so defrayed.
- (7) The power of the Lord Chief Justice of Northern Ireland intrusted as aforesaid under section one hundred and fifteen of the Lunacy Regulation (Ireland) Act, 1871, by special order to order the payment of a superannuation allowance to any registrar, officer or clerk who shall have served for twenty years in the lunacy office in Northern Ireland shall cease.
- (8) Nothing in this section shall affect the power of the Lord Chief Justice of Northern Ireland intrusted as aforesaid under section one hundred and seventeen of the Lunacy Regulation (Ireland) Act, 1871, to direct that any such remuneration or expenditure as is mentioned in that section shall be borne by a particular estate.
- (9) References in this section to the registrar, the medical visitors, the legal visitor's and the solicitor for minors and persons of unsound mind are references respectively to the registrar, the medical visitors, the legal visitors and the solicitor for minors and persons of unsound mind referred to in the Lunacy Regulation (Ireland) Act, 1871, and in this section the expression " the Lord Chief Justice of Northern Ireland intrusted as aforesaid " has the same meaning as it has for the purposes of that Act.