STATUTORY INSTRUMENTS

1978 No. 1829 (C. 47)

JUDICATURE, NORTHERN IRELAND

The Judicature (Northern Ireland) Act 1978 (Commencement No. 2) Order 1978

Made . . . . . 11*th December* 1978

The Lord Chancellor, in exercise of the powers conferred on him by section 123(2) and (3) of the Judicature (Northern Ireland) Act 1978(**a**) (hereinafter referred to as "the Act"), hereby makes the following Order:

1.—(1) This Order may be cited as the Judicature (Northern Ireland) Act 1978 (Commencement No. 2) Order 1978.

(2) The Interpretation Act 1978(**b**) shall apply to this Order as it applies to subordinate legislation made after the commencement of that Act.

2. Subject to Article 3 and to the limitations mentioned in the first column of the Schedule hereto the provisions of the Act specified in that Schedule shall come into force on 2nd January 1979.

3. Section 54 of the Act shall, until the day appointed for the coming into force of section 70(1) of the Act, have effect with the substitution in subsection (5) thereof, of the words "Permanent Secretary of the Supreme Court" for the words "Principal Secretary to the Lord Chief Justice".

Dated 11th December 1978.

Elwyn-Jones, C.

(**a**) 1978 c. 23.

(**b**) 1978 c. 30.

SCHEDULE

Provisions coming into operation on 2nd January 1979

Provisions of the Act	*Subject matter of provisions*
Section 54.	The Supreme Court Rules Committee.
Section 55.	Rules of Court.
Section 56.	Matters ancillary to Supreme Court Rules Committee and Rules of Court.
Section 122(1) in so far as it relates to:— (*a*) the amendment of the statutory provisions mentioned below in relation to Schedule 5; and (*b*) the provisions of Schedule 6 mentioned below.	Minor and consequential amendments and transitional provisions.
Section 122(2) in so far as it relates to the repeal of the statutory provisions mentioned below in relation to Schedule 7.	Repeals.
In Part I of Schedule 5 paragraphs 3 and 4.	Minor and consequential amendments.
Part II of Schedule 5 in so far as it amends:— (*a*) the Probates and Letters of Administration Act (Ireland) 1857(**a**); (*b*) section 18 of the Juries Act (Ireland) 1871(**b**); (*c*) sections 57 and 124 of the Bankruptcy (Ireland) Amendment Act 1872(**c**); (*d*) section 4 of the Bills of Sale (Ireland) Act 1879(**d**); (*e*) the Land Law (Ireland) Act 1887(**e**); (*f*) the Foreign Judgments (Reciprocal Enforcement) Act 1933(**f**); (*g*) the Trade Marks Act 1938(**g**); (*h*) the Exchange Control Act 1947(**h**); (*i*) section 163 of the Representation of the People Act 1949(**i**);	

(**a**) 1857 c. 79.
(**b**) 1871 c. 65.
(**c**) 1872 c. 58.
(**d**) 1879 c. 50.
(**e**) 1887 c. 33.
(**f**) 1933 c. 13.
(**g**) 1938 c. 22.
(**h**) 1947 c. 14.
(**i**) 1949 c. 68.

Provisions of the Act	*Subject matter of provisions*
(*j*) the Arbitration Act 1950(**a**); (*k*) the Arbitration (International Investment Disputes) Act 1966(**b**); (*l*) section 49 and the definition of "rules of court" in section 50 of the Criminal Appeal (Northern Ireland) Act 1968(**c**); (*m*) sections 20(5) and 21(4) of the Administration of Justice Act 1969(**d**); (*n*) the Administration of Justice Act 1970(**e**); (*o*) the Social Security (Northern Ireland) Act 1975(**f**); (*p*) section 21(1) and the definition of "Prescribed" in section 28(1) of the Bankruptcy Amendment Act (Northern Ireland) 1929(**g**); (*q*) the Evidence Act (Northern Ireland) 1939(**h**); (*r*) section 38(1) of the Landlord and Tenant (War Damage) Act (Northern Ireland) 1941(**i**); (*s*) section 21 of the Interpretation Act (Northern Ireland) 1954(**j**); (*t*) sections 146 and 147 (except paragraph (*b*)(ii)) of the County Courts Act (Northern Ireland) 1959(**k**); (*u*) section 8(2) of the County Court Appeals Act (Northern Ireland) 1964(**l**); (*v*) sections 23, 24 and 25 of the Magistrates' Courts Act (Northern Ireland) 1964(**m**); (*w*) section 7 of the Costs in Criminal Cases Act (Northern Ireland) 1968(**n**); (*x*) the Northern Ireland (Crown Proceedings) Order 1949(**o**); (*y*) Article 75(3) of the Solicitors (Northern Ireland) Order 1976(**p**).	

(**a**) 1950 c. 27.
(**b**) 1966 c. 41.
(**c**) 1968 c. 21.
(**d**) 1969 c. 58.
(**e**) 1970 c. 31.
(**f**) 1975 c. 15.
(**g**) 1929 c. 1 (N.I.).
(**h**) 1939 c. 12 (N.I.).
(**i**) 1941 c. 9 (N.I.).
(**j**) 1954 c. 33 (N.I.).
(**k**) 1959 c. 25 (N.I.).
(**l**) 1964 c. 3 (N.I.).
(**m**) 1964 c. 21 (N.I.).
(**n**) 1968 c. 10 (N.I.).
(**o**) S.I. 1949/1836.
(**p**) S.I. 1976/582 (N.I. 12).

Provisions of the Act	*Subject matter of provisions*
The following provisions of Schedule 6— (*a*) paragraph 3; (*b*) paragraph 10 in so far as it relates to paragraph 3.	Transitional provisions.
Schedule 7, in so far as it provides for the repeal of or of words in the following statutory provisions:— (*a*) section 10 of the Law of Property Amendment Act 1860(**a**); (*b*) section 42 of The Settled Estates Act 1877(**b**); (*c*) section 21 of The Bills of Sale (Ireland) Act 1879; (*d*) sections 48(5) and 72(5) of the Conveyancing Act 1881(**c**); (*e*) section 18 of the Deeds of Arrangement Act 1887(**d**); (*f*) section 3 of the Deeds of Arrangement Amendment Act 1890(**e**); (*g*) sections 11 and 12(2) of the Administration of Justice Act 1920(**f**); (*h*) section 160 of the Representation of the People Act 1949; (*i*) section 42(4) of the Arbitration Act 1950; (*j*) section 9(2) of the Administration of Justice Act 1960(**g**); (*k*) sections 7, 8 and 9 of, and Schedule 1 to, the Northern Ireland Act 1962(**h**); (*l*) section 49 of the Criminal Appeal (Northern Ireland) Act 1968; (*m*) section 3 of the Probates and Letters of Administration Act (Northern Ireland) 1933(**i**); (*n*) section 18 of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937(**j**); (*o*) section 6(1) of the Evidence Act (Northern Ireland) 1939;	Repeals.

(**a**) 1860 c. 38.
(**b**) 1877 c. 18.
(**c**) 1881 c. 41.
(**d**) 1887 c. 57.
(**e**) 1890 c. 24.
(**f**) 1920 c. 81.
(**g**) 1960 c. 65.
(**h**) 1962 c. 30.
(**i**) 1933 c. 16 (N.I.).
(**j**) 1937 c. 9 (N.I.).

Provisions of the Act	*Subject matter of provisions*
(*p*) sections 138 and 146(1) of the County Courts Act (Northern Ireland) 1959, (*q*) sections 23, 24, 25 and 28(3) of the Magistrates' Courts Act (Northern Ireland) 1964.	

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into operation on 2nd January 1979 the provisions of the Judicature (Northern Ireland) Act 1978 specified in the Schedule to this Order.

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