

SCHEDULES

SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

PART 1

Acts of the Parliament of the United Kingdom

Judicature (Northern Ireland) Act 1978

26.—(1) Section 119 (subordinate legislation) (as amended by the Northern Ireland Act 2009⁽¹⁾ and the Department of Justice Act (Northern Ireland) 2010⁽²⁾) is amended as follows.

(2) For subsections (1) to (3) substitute—

“(1) Any power conferred by the preceding provisions of this Act on the Department of Justice to make an order or rules or on the Lord Chief Justice to make regulations shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979⁽³⁾.

(2) Any statutory rule made under section 2(3), 3(4) or (6), 62(6) or 97(2) is subject to affirmative resolution (within the meaning of section 41(4) of the Interpretation Act (Northern Ireland) 1954⁽⁴⁾).

(3) Any other statutory rule made under this Act by the Department of Justice (except an order under section 68(3) or 116) is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).”

(3) In subsection (4)—

- (a) omit “and any power conferred by this Act to make an Order in Council”;
- (b) for “or Order in Council by a subsequent order or Order in Council” substitute “by a subsequent order”.

Commencement Information

II Sch. 18 para. 26 in force at 12.4.2010, see [art. 1\(2\)](#)

(1) 2009 c. 3.
(2) 2010 c. 3 (N.I.).
(3) S.I. 1979/1573 (N.I. 12).
(4) 1954 c. 33 (N.I.) Section 41(4) was amended by S.I. 1999/663.

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Paragraph 26.