
**(5) Poor Relief, Alkali, &c. Works, Midwives, Nurses
Registration, Lunatics, Old Age Pensions, &c.**

THE GOVERNMENT OF IRELAND (ADAPTATION OF
ENACTMENTS) (NO. 2) ORDER, 1922.

1922 No. 78

At the Court at Buckingham Palace, the 31st day of January, 1922.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas by section 69 of the Government of Ireland Act, 1920, His Majesty is empowered by Order in Council to make such regulations as seem necessary or proper for setting in motion the Parliaments and Governments of Southern and Northern Ireland, and also for any other matter for which it seems to His Majesty necessary or proper to make provision for the purpose of bringing the said Act into full operation or for giving full effect to any of the provisions of the said Act, and in particular His Majesty is empowered amongst other things, by any such Order in Council—

10 & 11
Geo. 5. c. 67.

- (1) to make such adaptations of any enactments so far as they relate to Ireland as may appear to Him necessary or proper in order to give effect to the provisions of the said Act ; and also to make any adaptations of any enactments so far as they relate to England or Scotland as may appear to Him necessary or proper as a consequence of any change effected by the provisions of the said Act ; and
- (2) to make such adaptation of any enactments as appear to Him necessary or proper with respect to the execution of services with respect to which the Parliaments of Southern Ireland and Northern Ireland have not power to make laws, and in particular to provide for the exercise or performance of any powers or

duties in connection with those services by any department of the Government of the United Kingdom or officer of that Government where any such powers or duties are, under any existing Act or by the common law, to be exercised or performed by any department or officer in Ireland who will cease to exist as a department or officer of the Government of the United Kingdom :

And whereas for the purposes of the provisions of the said Act relating to the transfer of services, the 1st day of December, 1921, has been fixed as the appointed day as respects Northern Ireland in relation to Irish services in connection with Local Government (including Housing), Public Health (not including Health Insurance), Poor Law, Old Age Pensions, Roads, Road Transport (excluding Railways), Ferries and Bridges, Firearms and Explosives, Prisons, Reformatory and Industrial Schools, and Lunatics,^(a) but no day has as yet been fixed for the purposes aforesaid as respects Southern Ireland :

56 & 57 Vict.
c. 66. And whereas the provisions of section 1 of the Rules Publication Act, 1893, have been complied with :

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1.—(1) This Order may be cited as the Government of Ireland (Adaptation of Enactments) (No. 2) Order, 1922.

(2) In the Order the expression “ appointed day ” means the 1st day of December, 1921.

52 & 53 Vict.
c. 63. (3) The Interpretation Act, 1889, applies to the interpretation of this Order in like manner as it applies to the interpretation of an Act of Parliament.

2.—(1) As from the appointed day the enactments hereinafter mentioned shall have effect subject to the modifications and adaptations set out in this Order, save where inconsistent with the Government of Ireland Act, 1920, or the provisions of any subsequent Order in Council under that Act, and subject as respects matters within the powers of the Parliament of Northern Ireland to repeal or alteration by Acts of that Parliament.

(2) Subject to the express modifications and adaptations made by this Order the General Adaptation of Enactments (Northern Ireland) Order, 1921,^(b) and any other Order made under the said Act containing adaptations of general application shall, if and so far as they are applicable to the enactments adapted by this Order, apply thereto in like manner as to other enactments.

(3) The adaptations and modifications effected by this Order shall apply to any order, scheme, rule, regulation or instrument made or issued under any of the enactments so adapted or modified and in force immediately before the appointed day in like manner as they apply

(a) See S.R. & O. 1921 No. 1696, p. 938 above.

(b) S.R. & O. 1921 No. 1804, p. 967 above.

*Adaptation of Enactments (Poor Relief, Alkali, &c. Works, Midwives,
Nurses Registration, Lunatics, Old Age Pensions, &c.)*

to the enactment under which it was made or issued ; and any such order, scheme, rule, regulation or instrument shall continue in force in like manner and subject to the like powers of revocation and alteration as if it had been made or issued under the said enactment as so modified and adapted.

(4) Article 9 of the General Adaptation of Enactments (Northern Ireland) Order, 1921, shall have effect as if references to orders, schemes, rules or regulations made under any enactment adapted or modified by that Order included references to instruments issued under any such enactment.

3.—(1) In the application to Northern Ireland of section 5 of the Poor Relief (Ireland) Act, 1838, and section 14 of the Municipal Corporations (Ireland) Act, 1840, references to a Minister of Northern Ireland shall be substituted for references to one of His Majesty's Principal Secretaries of State.

1 & 2 Vict.
c. 56.
3 & 4 Vict.
c. 108.

(2) The County Surveyors (Ireland) Act, 1862, and the County Surveyors (Ireland) Act, 1900, shall cease to have effect in Northern Ireland after the appointed day.

25 & 26 Vict.
c. 106.
63 & 64 Vict.
c. 18.

(3) In the application of section 3 of the Local Government Board (Ireland) Act, 1872, to Northern Ireland a reference to the Lord Lieutenant shall be substituted for the reference to His Majesty.

35 & 36 Vict.
c. 69.

(4) In the application of the Alkali, &c. Works Regulation Act, 1906, to Northern Ireland references to the Local Government Board for Northern Ireland shall be substituted for references both to the Local Government Board and to the central authority as in that Act defined.

6 Edw. 7. c.
14.

(5) In any enactment provisions as to the Labourers' Cottages Fund and the Irish Housing Fund shall cease to have effect as respects Northern Ireland after the appointed day, but without prejudice to the apportionment to the Government of Northern Ireland of any part of either of those funds as the share of Northern Ireland therein.

4. The Midwives (Ireland) Act, 1918, in its application to Northern Ireland shall have effect with the following adaptations :—

7 & 8 Geo. 5.
c. 59.

(a) references to the Privy Council shall be construed as references to the Privy Council of Ireland ; (a) the reference to the Lord President of the Council shall be construed as a reference to the Lord Lieutenant ; and references to the Central Midwives Board and to the Midwives Roll shall, respectively, be construed as references to the Central Midwives Board for Northern Ireland and to the Midwives Roll for Northern Ireland ;

(b) in section 3(b) references to Ireland shall be construed as references to Northern Ireland ; and the reference to Dublin

(a) Now Privy Council of Northern Ireland, *see* 13 Geo. 5. (sess. 2) c. 2, s.1(1), sch. 1, Art. 2(1).

(b) Section 3 repealed by 12 & 13 Geo. 5. c. 10 (N.I.) s.1.

shall be construed as a reference to Belfast ; and in subsection (1) of the same section " After the 1st day of December, 1921 " shall be substituted for " On the passing of this Act " ; " two " shall be substituted for " three ", " one " shall be substituted for " two ", " two registered medical practitioners " shall be substituted for " four registered medical practitioners " and " three women " shall be substituted for " four women " ;

(c) every woman who immediately before the appointed day is certified under the said Act shall in Northern Ireland be deemed to have been certified under and for the purposes of the said Act in its application to Northern Ireland.

9 & 10
Geo. 5. c. 96. 5.—(1) The Nurses Registration (Ireland) Act, 1919, in its application to Northern Ireland shall have effect with the following adaptations :—

(a) references to the General Nursing Council for Ireland shall be construed as references to the General Nursing Council for Northern Ireland, and references to the register shall be construed as references to the Register of Nurses for the Sick in Northern Ireland ;

(b) in paragraph 1 of the Schedule(a) " five " shall be substituted for " fifteen " ;

(c) in paragraphs 2 and 4 of the Schedule(a) " two " shall be substituted for " six " and " three " shall be substituted for " nine " ;

(d) in paragraph 3 of the Schedule(a) " 1st day of December, 1921 " shall be substituted for " commencement of this Act " ;

(e) any person who immediately before the appointed day is registered under the said Act shall in Northern Ireland be deemed to have been registered under and for the purposes of the said Act in its application to Northern Ireland.

9 & 10
Geo. 5. c. 95. (2) For the purposes of subsection (3) of section 6 of the Nurses Registration Act, 1919, subsection (3) of section 6 of the Nurses Registration (Scotland) Act, 1919, and subsection (3) of section 6 of the Nurses Registration (Ireland) Act, 1919 (which relate to rules for the admission to the register in one part of the United Kingdom of persons registered as nurses in another part of the United Kingdom), Southern Ireland and Northern Ireland shall be treated as separate parts of the United Kingdom, and as respects Northern Ireland the General Nursing Council for Northern Ireland shall, when established, be treated for the purposes of the subsection first mentioned and the subsection last mentioned, as a Nursing Council to be consulted in connection with rules proposed to be made by any other Nursing Council.

6.—(1) The enactments hereinafter specified shall, in their application to Northern Ireland, have effect subject to the following adaptations respectively :—

24 & 25 Vict.
c. 70. (a) in section 6 of the Locomotive Act, 1861, the Minister of Home

(a) Schedule repealed by 17 & 18 Geo. 5. c. 42 (S.L.R.).

*Adaptation of Enactments (Poor Relief, Alkali, &c. Works, Midwives,
Nurses Registration, Lunatics, Old Age Pensions, &c.)*

Affairs for Northern Ireland shall be substituted for one of His Majesty's Principal Secretaries of State ;

- (b) in subsection (2) of section 9(a) of the Development and Road Improvement Fund Act, 1909, as amended by the Roads Act, 1920, the words "shall consult with the Local Government Board and" shall be omitted ; 9 Edw. 7. c. 47. 10 & 11 Geo. 5. c. 72.
- (c) in subsection (2) of section 22 of the Ministry of Transport Act, 1919, "seven" shall be substituted for "eleven" and "three" for "five" ; 9 & 10 Geo. 5. c. 50.
- (d) in the Roads Act, 1920, references to Orders in Council shall be construed as references to the Lord Lieutenant in Council ; references to the Road Fund shall be construed as references to the Road Fund (Northern Ireland), and there shall be transferred to the last-mentioned Fund so much of the first-mentioned Fund as may be apportioned to the Government of Northern Ireland as the share of Northern Ireland therein ;

(2) References to the United Kingdom in subsection (5) of section 13 of the Finance Act, 1920, shall in the application of that section to Northern Ireland be construed as references to Northern Ireland, and in the application of that section to the rest of the United Kingdom be construed as references to the United Kingdom exclusive of Northern Ireland, but without prejudice to the operation of section 30(b) of the Government of Ireland Act, 1920. 10 & 11 Geo. 5. c. 18.

7.—(1) In sections 3, 4, 14 and 20 of the Private Lunatic Asylums (Ireland) Act, 1842,(c) section 8 of the Criminal Lunatics Act, 1884, and sections 86, 87 and 88 of the Lunacy Act, 1890, references to Ireland shall be construed as references to Southern Ireland and Northern Ireland or to Southern Ireland or Northern Ireland, as the case requires. 5 & 6 Vict. c. 123. 47 & 48 Vict. c. 64. 53 & 54 Vict. c. 5.

(2) For the purposes of the application of subsection (5) of section 8 of the Criminal Lunatics Act, 1884, to Northern Ireland references therein and in any other enactment therein mentioned to the Central Criminal Lunatic Asylum shall be construed as references to the Belfast District Lunatic Asylum.

(3) The provisions of section 88 of the Lunacy Act, 1890, with respect to the escape of a lunatic detained in Ireland into England or Scotland shall extend to the case of the escape of a lunatic detained in Northern Ireland into Southern Ireland and to the case of the escape of a lunatic detained in Southern Ireland into Northern Ireland, and the notice required to be given under that section shall, in the first case, if the lunatic was detained by order of the Lord Chancellor or of the Lord Chief Justice of Northern Ireland, be given to the Registrar in Lunacy in Northern Ireland, and, if the lunatic was detained otherwise than by such order, to the Inspectors of Lunatics in Northern Ireland ; and

(a) Section 9 repealed by 1 Edw. 8 & 1 Geo. 6. c. 14 (N.I.) s. 8.

(b) Section 30 repealed by 17 & 18 Geo. 5. c. 42 (S.L.R.).

(c) Sections 3, 4, 14 and 20 are repealed by 22 & 23 Geo. 5. c. 15 (N.I.) ss. 42(3)(4), sch. 3.

shall, in the second case, if the lunatic was detained by order of the Lord Chancellor or the Lord Chief Justice of Southern Ireland, be given to the Registrar in Lunacy in Southern Ireland and, if the lunatic was detained otherwise than by such order, to the Inspectors of Lunatics in Ireland ; and references to the Registrar in Lunacy or the Inspectors of Lunatics in Ireland shall be construed accordingly.

8 Edw. 7.
c. 67. 8. For the purposes of subsection (3) of section 69 of the Children Act, 1908, Southern Ireland and Northern Ireland shall be treated as separate parts of the United Kingdom, and as respects Northern Ireland the central authority shall be the appropriate Minister of Northern Ireland.

8 Edw. 7.
c. 40. 9.—(1) So much of section 10 of the Old Age Pensions Act, 1908,(a) as requires provision to be made by regulations for pensions being paid, claims being made and information being obtained through the Post Office shall not apply to Northern Ireland, and accordingly references in that section to the Postmaster-General and the Post Office shall in the application of that section to Northern Ireland be omitted therefrom :

Provided that this provision shall be without prejudice to the making of arrangements under section 63 of the Government of Ireland Act, 1920, for the exercise and performance by officers of the Post Office on behalf of the Ministry of Finance for Northern Ireland of the powers and duties which before the appointed day were exercised and performed by those officers.

1 & 2 Geo 5.
c. 16. (2) The reference to "Parliament" in section 3 of the Old Age Pensions Act, 1911,(a) shall not, in the application of that section to Northern Ireland, be construed as a reference to the Parliament of Northern Ireland.

Almeric FitzRoy.

(a) The whole Act repealed by 26 Geo. 5 & 1 Edw. 8. c. 31 (N.I.) s. 15, sch. 2.