
**(4) Public Works, Summary Jurisdiction Acts, Fugitive
Offenders, Special Constables, &c.**

THE GOVERNMENT OF IRELAND (ADAPTATION OF
ENACTMENTS) (NO. 1) ORDER, 1922.

1922 No. 77

*[This Order in Council (S.R. & O. 1922, p. 686) is printed as amended
by Order in Council, dated July 7, 1923 (S.R. & O. 1923 No. 803,
p. 1027 below).]*

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

10 & 11
Geo. 5. c. 67.

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- (a) Article 7 revoked, *see* S.R. & O. 1923 No. 803, p. 1027 below.
(b) *See* also S.R. & O. 1922 No. 78, p. 973 below.

particular His Majesty is empowered amongst other things, by any such Order in Council—

- (1) to make such adaptations of any enactments as 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 22nd day of November, 1921, has been fixed as the appointed day as respects Northern Ireland in relation to (amongst others) Irish services in connection with public loans, the maintenance of law and order and the administration of justice,^(a) but no day has as yet been fixed for the purposes aforesaid as respects Southern Ireland :

56 & 57 Vict. Act, 1893, have been complied with :
c. 66.

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. 1) Order, 1922.

(2) In this Order the expression “ appointed day ” means the 22nd day of November, 1921.

52 & 53 Vict. (3) The Interpretation Act, 1889, applies to the interpretation of this
c. 63. 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.

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

(2) Subject to the express modifications and adaptations made by this Order the General Adaptation of Enactments (Northern Ireland) Order, 1921,^(a) 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.—(1) Section 5 of the Public Works (Ireland) Act, 1831, as amended by sections 4 and 5 of the Public Works (Ireland) (No. 2) Act, 1846, shall be adapted in the manner and to the extent necessary for the purpose of being read as follows:—

1 & 2 Will. 4.
c. 33.
9 & 10 Vict.
c. 86.

“It shall be lawful for the Lord Lieutenant to appoint such number of persons, not exceeding five, as he thinks proper to be Commissioners of Public Works in Northern Ireland, and every Commissioner so appointed shall hold office during the Lord Lieutenant’s pleasure.”

(2) In section 6 of the first-mentioned Act the words “in Dublin” shall cease to have effect.

(3) In section 19 of the Landed Property Improvement (Ireland) Act, 1847, “in Belfast” shall be substituted for “in Dublin”.

10 & 11 Vict.
c. 32.

4.—(1) In the Summary Jurisdiction (Ireland) Acts references to adjoining counties shall be construed as references to counties in Southern Ireland which adjoin one another or to counties in Northern Ireland which adjoin one another.

(2) Any Petty Sessions district which consists of townlands of a county in Northern Ireland and townlands of an adjoining county in Southern Ireland shall, as from the appointed day, be divided into two Petty Sessions districts, one consisting of the Northern Ireland townlands and the other consisting of the Southern Ireland townlands, and the place and times for the holding of Petty Sessions for each such district shall, until a place and times have been fixed pursuant to the Petty Sessions (Ireland) Act, 1851, be such as may be determined by the Lord Lieutenant and until a petty sessions clerk has been appointed for the district, the powers and duties of the petty sessions clerk shall be exercised and performed by a person nominated by the Lord Lieutenant.

14 & 15 Vict.
c. 93.

(3) The powers and duties of the Inspector General of the Royal Irish Constabulary under the Petty Sessions (Ireland) Act, 1851, or any other enactment in relation to the backing of warrants may, in the case of warrants issued in any county or place in Northern Ireland and requiring to be backed for execution elsewhere in Northern Ireland, be exercised and performed by any officer of the Royal Irish Constabulary who may be designated for the purpose by the Lord Lieutenant, and any such warrants may be certified and transmitted to any officer so designated instead of to the Inspector General.

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

44 & 45 Vict.
c. 69. (4) Paragraph (3) of section 30 of the Fugitive Offenders Act, 1881, shall have effect with the substitution of "Southern Ireland" for "Ireland", and with the addition of the following words at the end thereof, namely, "in Northern Ireland by a Resident Magistrate having jurisdiction in Belfast and".

44 & 45 Vict.
c. 18. (5) In the Petty Sessions Clerks (Ireland) Act, 1881, and any other enactment relating to Petty Sessions Clerks or the Registrar of Petty Sessions Clerks references to the Petty Sessions Clerks Fund shall as respects Northern Ireland be construed as references to the Petty Sessions Clerks (Northern Ireland) Fund, 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.

2 & 3 Will. 4.
c. 108. 5.—(1) In the Special Constables (Ireland) Act, 1832, references to Ireland shall be construed as references to Southern Ireland or Northern Ireland, as the case requires, and references to an adjoining county shall be construed as references to a county in Southern Ireland adjoining a county in Southern Ireland or to a county in Northern Ireland adjoining a county in Northern Ireland, as the case requires.

4 & 5 Geo. 5.
c. 61. (2) The Special Constables Act, 1914, in its application to Northern Ireland shall have effect subject to the following adaptation, namely : references to His Majesty shall, so far as respects matters within the powers of the Parliament of Northern Ireland, be construed as references to the Lord-Lieutenant.

(3) The Special Constables (Ireland) Order, 1915,(a) in its application to Northern Ireland shall have effect subject to the following adaptations, namely :—

(a) the expression "police authority" shall mean such officer or officers as may be designated by the Minister of Home Affairs for Northern Ireland ;

(b) the expression "police fund" shall mean such fund as may be provided by the Parliament or Government of Northern Ireland ;

but nothing in this provision shall affect the payment of any expenses incurred before the 22nd day of November, 1921, in pursuance of the said Order or the grant or payment of any pensions or allowances on account of injuries received before that day.

6. In the application to Northern Ireland of any enactment relating to or affecting Irish services—

(a) references to His Majesty and to His Majesty in Council, where they occur in relation to the presentation of addresses to His Majesty by Parliament or by both or either of the Houses of Parliament or in relation to the annulment of orders, rules or regulations by His Majesty or by His Majesty in Council whether on the presentation of such addresses or otherwise, shall, as respects matters within the powers of the Parliament of Northern Ireland, be construed respectively from and after the

(a) S.R. & O. 1915 (No. 207) III, p. 116.

day appointed for the transfer of the services for the administration of those matters to the Government of Northern Ireland as references to the Lord Lieutenant and to the Lord Lieutenant in Council ;

- (b) the expression “ Act of Parliament ”, save where the context otherwise requires, means, as respects Northern Ireland, an Act either of the Parliament of the United Kingdom or of the Parliament of Northern Ireland.

7. [*Revoked by S. R. & O. 1923 No. 803, p. 1027 below.*]

8. For the purpose of determining the domicile of any person, Northern Ireland shall be deemed always to have been a separate part of the United Kingdom.

Almeric FitzRoy.
