CHAPTER 70.

An Act to amend the Supreme Court of Judicature Act (Ireland), 1877. [18th August 1882.]

A.D. 1882.

WHEREAS by section seventy-three of the Supreme Court of Judicature Act (Ireland), 1877 (herein-after called the principal Act), it is enacted that subject to the provisions in that Act contained as to existing officers of the courts whose jurisdiction had been thereby transferred to the Supreme Court, the Lord Chancellor, the Chief Justice, the Chief Justice of the Common Pleas, and the Chief Baron, or any two of them, of whom the Lord Chancellor should be one, with the concurrence of the Treasury, should within two years from the commencement of the Act determine what officers, clerks, or other persons holding subordinate positions requisite for the permanent organisation of the official staff of the Supreme Court, and every court and division thereof should be retained or employed; and might with the like concurrence abolish any unnecessary office, or reduce or in case of additional duties increase the salary of an office, or alter the duties or designation thereof, notwithstanding that the patronage thereof might be vested in an existing judge: 40 & 41 Vict. c. 57.

And whereas doubts have arisen as to whether the said powers or any of them can be exercised after the expiration of the said period of two years from the commencement of the said Act, and also whether such powers, though not subject to such limitation in point of time, can be exercised so as to abolish, or reduce or increase the salary of, or alter the designation or duties of an office determined to be requisite, or the salary, designation, or duties of which have been once fixed in pursuance of the above recited section:

And whereas it is expedient that such doubts should be removed, and that the exercise of the said powers or any of them should not be in anywise limited or restricted as aforesaid:

A.D. 1882.

Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Supreme Court of Judicature (Ireland) Act, 1882.

Interpretation of "office."

2. The word "office" shall for the purposes of this Act include any clerkship or subordinate employment held by any person in the Supreme Court of Judicature in Ireland, or any division or office thereof.

Amendment of s. 73. of 40 & 41 Vict. c. 57.

3. The Lord Chancellor, the Chief Justice, the Chief Justice of the Common Pleas, and the Chief Baron, or any three of them, of whom the Lord Chancellor shall be one, with the concurrence of the Treasury, may from time to time, as occasion may require, exercise all or any of the powers conferred by the said section of the principal Act as fully as if no time had been prescribed in that behalf in the said section, notwithstanding that any office affected thereby may have been previously determined to be requisite, or that the salary, designation, or duties of any office may have been previously fixed under the powers conferred by the principal Act or by this Act, and also notwithstanding that the patronage thereof may be vested in an existing judge: Provided always, that no existing officer shall receive a less salary than heretofore, and that no officer to be hereafter appointed shall, during his tenure of office, have his salary reduced; and provided also, that any rights preserved by the principal Act to any officers existing at the commencement of that Act shall not be affected by this Act.

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