(2) ADAPTATION OF ENACTMENTS

The Northern Ireland (Registration of Deeds) (Adaptation of Enactments) Order, 1948

1948 No. 487

Made - - - -	11*th March*, 1948
Laid before Parliament	12*th March*, 1948
Coming into Operation	1*st April*, 1948

At the Court at Buckingham Palace, the 11th day of March, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas section eight of the Northern Ireland Act, 1947(**a**), which by virtue of the Northern Ireland (Registration of Deeds) (Appointed Day) Order, 1948(**b**), will come into operation on the first day of April, 1948, provides that the registration of deeds shall cease to be a reserved matter for the purposes of the Government of Ireland Act, 1920(**c**), and that the public services in connection with the administration of the registration of deeds in Northern Ireland shall be transferred to the Government of Northern Ireland:

And Whereas the said section eight extends section sixty-nine of the said Government of Ireland Act, 1920, so as to empower His Majesty by Order in Council to make regulations for giving full effect to the said section eight and to the said transfer of services effected thereby and, in particular, to make adaptations of enactments for that purpose, and provides that His Majesty may by Order in Council vary the Government of Ireland (Registration of Deeds in Northern Ireland) Order, 1923(**d**):

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 Northern Ireland (Registration of Deeds) (Adaptation of Enactments) Order, 1948, and shall come into operation on the first day of April, 1948.

(2) In this Order the expression " Registration of Deeds Acts " means the Act of the Parliament of Ireland of the sixth year of the reign of Queen Anne, chapter 2 (which provides for the establishment in Dublin of a Registry of Deeds for Ireland) and every enactment (including the Government of Ireland (Registration of Deeds in Northern Ireland) Order, 1923(**d**) (which provides for the establishment in Belfast of a Registry of Deeds for Northern Ireland)) amending that Act or otherwise relating to the registry established under that Act or to the registration of deeds, orders, affidavits or other instruments or documents therein.

(**a**) 10 & 11 Geo. 6. c. 37.
(**b**) S.I. 1948 No. 346, p. 3165 above.
(**c**) 10 & 11 Geo. 5. c. 67.
(**d**) S.R. & O. 1923 (No. 614) p. 942.

(3) Any reference in this Order to any provision of the Registration of Deeds Acts shall be construed as a reference to that provision as in force in Northern Ireland immediately before the coming into operation of this Order.

(4) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order in like manner as it applies to the interpretation of an Act of Parliament.

2.—(1) Any reference in the Registration of Deeds Acts to an Act of Parliament shall be construed as including a reference to an Act of the Parliament of Northern Ireland, and any reference therein to Parliament shall be construed as a reference to that Parliament.

(2) Any reference in the said Acts to the Exchequer shall be construed as a reference to the Exchequer of Northern Ireland, and any reference therein to the Lord High Treasurer, the Commissioners of His Majesty's Treasury, the Vice-Treasurer of Ireland, the Commissioners of Inland Revenue, the Treasury or the Secretary of State shall be construed as a reference to the Ministry of Finance for Northern Ireland.

(3) The adaptations and modifications made by this Order in respect of any enactment shall apply to any order, direction, rule, regulation, minute or other instrument made or issued under that enactment and in force immediately before the coming into operation of this Order in like manner as they apply to that enactment, and any such order, direction, rule, regulation, minute or other 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 that enactment as so adapted and modified.

3. Section four of the Registry of Deeds (Ireland) Act, 1832(b), (which contains financial provisions in respect of the registration of deeds in Ireland), as adapted and modified by paragraph (1) of the last foregoing Article, shall have effect as if for the words " into the Bank of Ireland, to the credit of the consolidated fund " there were substituted the words " into the Exchequer of Northern Ireland ".

4. Section one of the Registry of Deeds (Ireland) Act, 1875(c), (which relates to the laying before Parliament of certain regulations, orders and directions in respect of the registration of deeds in Ireland), as adapted and modified by paragraph (1) of Article 2 of this Order, shall have effect as if for the words " forty days " there were substituted the words " ten days ".

5. The Registry of Deeds Office (Ireland) Holidays Act, 1883(d), (which regulates the hours of business in respect of the registration of deeds in Ireland) shall have effect as if in section one thereof—

(*a*) for the words " the hour of two in the afternoon " there were substituted the words " thirty minutes past noon "; and

(*b*) for the words " and the two week days next after Christmas Day, and on days of Public Fast or Thanksgiving " there were substituted the words " and Boxing Day and on such public holidays as the Stamps Office of the Ministry of Finance for Northern Ireland is closed for the transaction of public business ".

(a) 52 & 53 Vict. c. 63.
(b) 2 & 3 Will. 4. c. 87.
(c) 38 & 39 Vict. c. 5.
(d) 46 & 47 Vict. c. 20.

6. The Government of Ireland (Registration of Deeds in Northern Ireland) Order, 1923(a), as adapted and modified by paragraph (1) of Article 2 of this Order, shall have effect as if references to the consent of the Treasury were omitted from paragraph (2) of Article 4 thereof.

E. C. E. Leadbitter.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

By the Government of Ireland Act, 1920, it is provided that the registration of deeds in Northern Ireland shall be a reserved matter, that is to say, a matter in respect of which the Parliament of Northern Ireland shall not have power to make laws. Section 8 of the Northern Ireland Act, 1947, provides that from a date to be appointed by Order in Council this matter shall cease to be a reserved matter and contains incidental provisions thereon; and by the Northern Ireland (Registration of Deeds) (Appointed Day) Order, 1948, the appointed day is the 1st April, 1948. The present Order makes such adaptations of enactments as are necessary to give effect to the transfer.

(3) TRANSFER OF PROPERTY

The Northern Ireland (Registration of Deeds) (Transfer of Property) Order, 1948

1948 No. 488

Made - - - -	*11th March,* 1948
Laid before Parliament	*12th March,* 1948
Coming into Operation	*1st April,* 1948

At the Court at Buckingham Palace, the 11th day of March, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas section eight of the Northern Ireland Act, 1947(b), which by virtue of the Northern Ireland (Registration of Deeds) (Appointed Day) Order 1948(c), will come into operation on the 1st day of April, 1948, provides that the registration of deeds shall cease to be a reserved matter for the purposes of the Government of Ireland Act, 1920(d), and that the public services in connection with the administration of the registration of deeds in Northern Ireland shall be transferred to the Government of Northern Ireland:

And Whereas the said section eight extends section sixty-nine of the said Government of Ireland Act, 1920, so as to empower His Majesty by Order in Council to make regulations for giving full effect to the said section eight and to the said transfer of services effected thereby and, in particular, to make provision with respect to the transfer and apportionment of any property, assets and rights in connection with the said services:

(a) S.R. & O. 1923 (No. 614) p. 942.
(b) 10 & 11 Geo. 6. c. 37.
(c) S.I. 1948 No. 346, p. 3165 above.
(d) 10 & 11 Geo. 5. c. 67.