

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. This Order may be cited as the Government of Ireland (Railway and Canal Commission) Order, 1923, and shall come into operation provisionally as from the date hereof, in accordance with the provisions of Section 2 of the Rules Publication Act, 1893.

2.—(1) The powers conferred on the Lord Chancellor of Ireland by Sections 4 and 5 of the Railway and Canal Traffic Act, 1888, shall, so far as they are exercisable in relation to Northern Ireland, be exercised by the Secretary of State.

(2) So much of the Supreme Court of Judicature (Northern Ireland) Order, 1921, as relates to Section 4 of the Railway and Canal Traffic Act, 1888, is hereby revoked.

*Almeric FitzRoy.*

At the Court at *Buckingham Palace*, the 27th day of *March*, 1923.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS by section six of the Irish Free State (Consequential Provisions) Act, 1922, it is provided that His Majesty may by Order in Council make such adaptations of any enactments so far as they relate to any of His Majesty's Dominions other than the Irish Free State as may appear to Him necessary or proper as a consequence of the establishment of the Irish Free State, and that any such Order in Council may contain such supplemental, consequential, and incidental provisions as may appear necessary or proper for the purposes of the Order:

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. This Order may be cited as the Irish Free State (Consequential Adaptation of Enactments) Order, 1923.

2. Subject to the provisions of this Order and of any subsequent Order in Council made under section six of the Irish Free State (Consequential Provisions) Act, 1922, references in any enactment passed before the establishment of the Irish Free State to "the United Kingdom" or "the United Kingdom of Great Britain and Ireland," or "Great Britain and Ireland" or "Great Britain or Ireland," or "the British Islands" or "Ireland," shall, in the application of the enactment to any part of Great Britain and Ireland other than the Irish Free State, be construed as exclusive of the Irish Free State, except that in the Acts mentioned in the Schedule to this Order any such expression as aforesaid shall, to the extent specified in that Schedule, be construed as including the Irish Free State:

Provided that nothing in this Article shall—

(a) apply to any enactment so as to affect the liability to, or the assessment or collection of, any tax or duty the liability whereof, or the assessment or collection whereof, is regulated by section two of the Irish Free State Constitution Act, 1922, or to sections ninety-four and ninety-five of the Probates and Letters of Administration

(Ireland) Act, 1857, and sections thirteen and fourteen of the Confirmation of Executors (Scotland) Act, 1858, as respectively modified by the Government of Ireland (Re-sealing, &c., of Probates) Order, 1922, in relation to cases where death duties payable on the death of the person to whom representation is granted are regulated by the said section two; or

(b) apply to any enactment regulating the administration of any public service the transfer of the administration whereof to the Government of the Irish Free State is, by virtue of Article seventy-nine of the Constitution of the Irish Free State, deferred, so as to affect the administration of that service prior to the transfer; or

(c) apply to any enactment designed for the enforcement of any international convention which is binding on the Irish Free State so as to prejudice the powers of fulfilling the obligations imposed by the convention.

3. Subject as aforesaid, references to "the United Kingdom" or "the United Kingdom of Great Britain and Ireland," or "Great Britain and Ireland" or "Great Britain or Ireland," or "the British Islands" or "Ireland," in any enactment passed before the establishment of the Irish Free State which applies to parts of His Majesty's Dominions outside the United Kingdom, or outside the British Islands, as the case may be, shall, in the application of the enactment to any such part, be construed as references both—

(a) to Great Britain and Ireland or the British Islands exclusive of the Irish Free State, or as the case may be, to Ireland exclusive of the Irish Free State; and

(b) to the Irish Free State.

Provided that where by any such enactment the Isle of Man and the Channel Islands are to be deemed for the purposes of the enactment to form part of the United Kingdom, they shall not for the purposes of this Article be deemed to be parts of His Majesty's Dominions outside the United Kingdom.

4.—(1) Subject to the provisions of section two of the Irish Free State Constitution Act, 1922, the Irish Free State shall, in relation to any part of Great Britain or Northern Ireland, be deemed to be parts beyond the seas for customs purposes and for the purposes of sub-section (1) of section six of the Post Office Act, 1908.

(2) Subject as aforesaid a ship trading between any port in any part of the British Islands other than the Irish Free State and a port in the Irish Free State shall be deemed to be employed in coasting trade for the purposes of sections four hundred and thirty-seven and four hundred and thirty-eight of the Merchant Shipping Act, 1894, and for the purposes of any enactment relating to rates, tolls, dues and other charges leviable by a port, dock or harbour authority in Great Britain or Northern Ireland.

5.—(1) Sub-section (2) of section thirty-nine of the Larceny Act, 1916, shall be construed as authorizing the indictment, trial and punishment in any part of Great Britain and Ireland other than the Irish Free State of a person who steals or otherwise feloniously takes any property in the Irish Free State if he has the property so stolen in his possession in such part of Great Britain and Ireland as