



# Ireland Act 1949I

## 1949 CHAPTER 41 12 13 and 14 Geo 6

An Act to recognise and declare the constitutional position as to the part of Ireland heretofore known as Eire, and to make provision as to the name by which it may be known and the manner in which the law is to apply in relation to it; to declare and affirm the constitutional position and the territorial integrity of Northern Ireland and to amend, as respects the Parliament of the United Kingdom, the law relating to the qualifications of electors in constituencies in Northern Ireland; and for purposes connected with the matters aforesaid. [2nd June 1949]

### 1 Constitutional provisions.

- (1) It is hereby recognized and declared that the part of Ireland heretofore known as Eire ceased, as from the eighteenth day of April, nineteen hundred and forty-nine, to be part of His Majesty's dominions.
- (2) .....<sup>F1</sup>
- (3) The part of Ireland referred to in subsection (1) of this section is hereafter in this Act referred to, and may in any Act, enactment or instrument passed or made after the passing of this Act be referred to, by the name attributed thereto by the law thereof, that is to say, as the Republic of Ireland.

#### Textual Amendments

**F1** S. 1(2) repealed by Northern Ireland Constitution Act 1973 (c. 36), Sch. 6 Pt. 1

### 2 Republic of Ireland not a foreign country.

- (1) It is hereby declared that, notwithstanding that the Republic of Ireland is not part of His Majesty's dominions, the Republic of Ireland is not a foreign country for the purposes of any law in force in any part of the United Kingdom or in any colony, protectorate or United Kingdom trust territory, whether by virtue of a rule of law or of an Act of Parliament or any other enactment or instrument whatsoever, whether passed or

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*Changes to legislation: There are currently no known outstanding effects for the Ireland Act 1949I. (See end of Document for details)*

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made before or after the passing of this Act, and references in any Act of Parliament, other enactment or instrument whatsoever, whether passed or made before or after the passing of this Act, to foreigners, aliens, foreign countries, and foreign or foreign-built ships or aircraft shall be construed accordingly.

(2) ..... F2

#### Textual Amendments

F2 S. 2(2) repealed by Diplomatic Privileges Act 1964 (c. 81), Sch. 2

### 3 Other provisions as to operation of United Kingdom and colonial laws in relation to Republic of Ireland.

(1) It is hereby declared that—

(a) the operation of the following statutory provisions, that is to say—

[<sup>F3</sup>(i) section 3 of the British Nationality Act 1948;]

(ii) so much of any Act, or of any Act of the Parliament of Northern Ireland, as gives effect, or enables effect to be given, to agreements or arrangements made at any time after the coming into operation of the original constitution of the Irish Free State, being agreements or arrangements made with the Government of, or otherwise affecting, the part of Ireland which now forms the Republic of Ireland, including agreements or arrangements made after the commencement of this Act; and

(iii) the Orders in Council made under sections five and six of the <sup>M1</sup>Irish Free State (Consequential Provisions) Act 1922 (Session 2),

is not affected by the fact that the Republic of Ireland is not part of His Majesty's dominions; and

(b) that, in the said provisions, and in any Act of Parliament or other enactment or instrument whatsoever, so far as it operates as part of the law of, or of any part of, the United Kingdom or any colony, protectorate or United Kingdom trust territory, references to citizens of Eire include, on their true construction, references to citizens of the Republic of Ireland.

(2) Until provision to the contrary is made by Parliament or by some other authority having power in that behalf, the following provisions shall have effect as respects any Act of Parliament or other enactment or instrument whatsoever passed or made before the passing of this Act, so far as it operates as part of the law of, or of any part of, the United Kingdom or any colony, protectorate or United Kingdom trust territory, that is to say—

(a) if it contains a reference to His Majesty's dominions, or to any parts thereof, which would have extended so as in any way to include the Republic of Ireland had that part of Ireland remained part of His Majesty's dominions, it shall have effect, with any necessary adaptations, as if that reference did extend so as in that way to include the Republic of Ireland, notwithstanding that that part of Ireland is no longer part of His Majesty's dominions; and

(b) in particular and without prejudice to the generality of the preceding paragraph, if it contains a reference to all, or to any classes or descriptions of, British or British-built ships or aircraft which would have extended so as in any way to include all, or any classes or descriptions of, the ships or aircraft