STATUTORY INSTRUMENTS

1991 No. 764 (N.I. 8)

The Repayment of Fees and Charges (Northern Ireland) Order 1991

- - - - - - *20th March 1991*

Title and commencement

1.—(1) This Order may be cited as the Repayment of Fees and Charges (Northern Ireland) Order 1991.

(2) This Order shall come into operation on the expiration of 21 days from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954[F1] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

F1 1974 c. 28

Repayment of fees and charges

3.—(1) This Article applies where at the beginning of the day on which this Order comes into operation—

(a) a statutory provision confers power to make provision for payment of a fee or charge (however described), and

(b) sums paid in pursuance of provision made in exercise of the power are payable into the Consolidated Fund.

(2) Subject to paragraph (3), the statutory provision shall be treated as also conferring power to make provision about repayment of sums paid, or purported to be paid, in pursuance of provision made in exercise of the power.

(3) Paragraph (2) shall not apply if the fee or charge is one—

(a) repayment of which is prohibited or regulated by a statutory provision, or

(b) power to make provision about repayment of which is expressly conferred, or expressly negatived, to any extent.

(4) Without prejudice to the generality of the power conferred by virtue of paragraph (2), the provision which may be made by virtue of that paragraph includes provision—