



# Law Officers Act 1997

## 1997 CHAPTER 60

An Act to enable functions of the Attorney General and of the Attorney General for Northern Ireland to be exercised by the Solicitor General; and for connected purposes. [31st July 1997]

Be it 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:—

### **1 The Attorney General and the Solicitor General.**

- (1) Any function of the Attorney General may be exercised by the Solicitor General.
- (2) Anything done by or in relation to the Solicitor General in the exercise of or in connection with a function of the Attorney General has effect as if done by or in relation to the Attorney General.
- (3) The validity of anything done in relation to the Attorney General, or done by or in relation to the Solicitor General, is not affected by a vacancy in the office of Attorney General.
- (4) Nothing in this section—
  - (a) prevents anything being done by or in relation to the Attorney General in the exercise of or in connection with any function of his; or
  - (b) requires anything done by the Solicitor General to be done in the name of the Solicitor General instead of the name of the Attorney General.
- (5) It is immaterial for the purposes of this section whether a function of the Attorney General arises under an enactment or otherwise.

### **2 The Attorney General for Northern Ireland and the Solicitor General.**

- (1) Any function of the [<sup>F1</sup>Advocate General for Northern Ireland] may be exercised by the Solicitor General for England and Wales.

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*Changes to legislation: There are currently no known outstanding effects for the Law Officers Act 1997. (See end of Document for details)*

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- (2) Anything done by or in relation to the Solicitor General in the exercise of or in connection with a function of the [F2Advocate General] has effect as if done by or in relation to the [F2Advocate General] .
- (3) The validity of anything done in relation to the [F2Advocate General] , or done by or in relation to the Solicitor General, is not affected by a vacancy in the office of [F2Advocate General] .
- (4) Nothing in this section—
  - (a) prevents anything being done by or in relation to the [F2Advocate General] in the exercise of or in connection with any function of his; or
  - (b) requires anything done by the Solicitor General to be done in the name of the Solicitor General instead of the name of the [F2Advocate General] .
- (5) It is immaterial for the purposes of this section whether a function of the [F2Advocate General] arises under an enactment or otherwise.
- (6) In this section [F3“Advocate General” means the Advocate] General for Northern Ireland.

#### Textual Amendments

- F1** Words in s. 2(1) substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), ss. 27\(2\)\(a\), 87\(1\); S.R. 2010/113, art. 2, Sch. para. 7](#)
- F2** Words in s. 2(2)-(5) substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), ss. 27\(2\)\(b\), 87\(1\); S.R. 2010/113, art. 2, Sch. para. 7](#)
- F3** Words in s. 2(6) substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), ss. 27\(2\)\(c\), 87\(1\); S.R. 2010/113, art. 2, Sch. para. 7](#)

### 3 Short title, repeals, commencement and extent.

- (1) This Act may be cited as the Law Officers Act 1997.
- (2) The enactments specified in the Schedule to this Act (which include spent provisions and provisions conferring specific functions on the Solicitor General concurrently with the Attorney General or the Attorney General for Northern Ireland) are repealed to the extent specified.
- (3) This Act comes into force at the end of the period of two months beginning with the date on which it is passed.
- (4) Any repeal made by this Act has the same extent as the enactment being repealed.
- (5) Subject to subsection (4), this Act extends to Northern Ireland.

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## SCHEDULE

Section 3(2).

### REPEALS

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
2 & 3 Vict. c. 47.	Metropolitan Police Act 1839.	In section 40, the words “or solicitor”.
32 & 33 Vict. c. 24.	Newspapers, Printers, and Reading Rooms Repeal Act 1869.	In Schedule 2, in the entries relating to section 4 of 2 & 3 Vict. c. 12 and section 1 of 9 & 10 Vict. c. 33, the words “or Solicitor General”.
46 & 47 Vict. c. 3.	Explosive Substances Act 1883.	In section 9(1), the words from “and in case” to the end.
52 & 53 Vict. c. 69.	Public Bodies Corrupt Practices Act 1889.	In section 4(2), the words “or Solicitor”(in the first place they appear) and the words from “and as respects Ireland” to the end.
6 Edw. 7 c. 34.	Prevention of Corruption Act 1906.	In section 2(1), the words “or Solicitor-General” (in the first place they appear) and the words from “and in Ireland” to the end.
1 & 2 Geo. 5 c. 28.	Official Secrets Act 1911.	In section 12, the words “or Solicitor” (in both places).
17 & 18 Geo. 5 c. 12.	Auctions (Bidding Agreements) Act 1927.	In section 1(3), the words “or the Solicitor-General”.
1 Edw. 8 & 1 Geo. 6 c. 6.	Public Order Act 1936.	Section 9(2).
2 & 3 Geo. 6 c. 13.	Cancer Act 1939.	In section 4(6), the words “or the Solicitor-General”.
7 & 8 Geo. 6 c. 25.	Law Officers Act 1944.	Section 1.
1973 c. 36.	Northern Ireland Constitution Act 1973.	Section 10(2) and (3).
1983 c. 2.	Representation of the People Act 1983.	In section 202(1), the definition of “Attorney General”.

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**Changes to legislation:**

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