

Union with Ireland Act 1800

1800 (39 and 40 Geo. 3 C.67)

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An Act for the Union of Great Britain and Ireland.

[2nd July 1800]

Whereas in pursuance of his Majesty's most gracious recommendation to the two Houses of Parliament in Great Britain and Ireland respectively, to consider of such measures as might best tend to strengthen and consolidate the connection between the two kingdoms, the two Houses of the Parliament of Great Britain and the two Houses of the Parliament of Ireland have severally agreed and resolved, that, in order to promote and secure the essential interests of Great Britain and Ireland, and to consolidate the strength, power and resources of the British Empire, it will be adviseable to concur in such measures as may best tend to unite the two kingdoms of Great Britain and Ireland into one kingdom, in such manner, and on such terms and conditions, as may be established by the Acts of the respective Parliaments of Great Britain and Ireland:


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Notes

- ¹ Short title given by Short Titles Act 1896 (c. 14), references in this Act to Great Britain and Ireland, United Kingdom of Great Britain and Ireland or Ireland to be construed as exclusive of Republic of Ireland: S.R. & O.1923/405 (Rev. X.p. 298: 1923. p. 400), art. 2

Extent

Preamble: England, Wales, Scotland

 Law In Force

1. The Parliaments of England and Ireland have agreed upon the articles following:

And whereas, in furtherance of the said resolution, both Houses of the said two Parliaments respectively have likewise agreed upon certain Articles for effectuating and establishing the said purposes, in the tenor following:

 Law In Force

ARTICLE FIRST

That it be the First Article of the Union of the kingdoms of Great Britain and Ireland, that the said kingdoms of Great Britain and Ireland shall, upon the first day of January which shall be in the year of our Lord one thousand eight hundred and one, and for ever after, be united into one kingdom,

by the name of the United Kingdom of Great Britain and Ireland, and that the royal stile and titles appertaining to the imperial crown of the said United Kingdom and its dependencies, and also the ensigns, armorial flags and banners thereof, shall be such as his Majesty, by his royal proclamation under the Great Seal of the United Kingdom, shall be pleased to appoint.

✓ Law In Force

ARTICLE SECOND

That it be the Second Article of Union, that the succession to the imperial crown of the said United Kingdom, and of the dominions thereunto belonging, shall continue limited and settled in the same manner as the succession to the imperial crown of the said kingdoms of Great Britain and Ireland now stands limited and settled, according to the existing laws and to the terms of union between England and Scotland.

✓ Law In Force

ARTICLE THIRD

That it be the Third Article of Union, that the said United Kingdom be represented in one and the same Parliament, to be stiled the Parliament of the United Kingdom of Great Britain and Ireland.

✓ Law In Force

ARTICLE FOURTH

That such Act as shall be passed in the Parliament of Ireland previous to the union, to regulate the mode by which the lords spiritual and temporal and the commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament, shall be considered as forming part of the treaty of union, and shall be incorporated in the Acts of the respective Parliaments by which the said union shall be ratified and established:

That any person holding any peerage of Ireland now subsisting, or hereafter to be created, shall not thereby be disqualified from being elected to serve, if he shall so think fit, or from serving or continuing to serve, if he shall so think fit, for any county, city or borough, in the House of Commons of the United Kingdom, but that so long as such peer of Ireland shall so continue to be a member of the House of Commons, he shall not be entitled to the privilege of peerage,

That it shall be lawful for his Majesty, his heirs and successors, to create peers of Ireland, and to make promotions in the peerage thereof, after the union;

provided that no new creation of any such peers shall take place after the union, until three of the peerages of Ireland which shall have been existing at the time of union shall have become extinct; and upon such extinction of three peerages that it shall be lawful for his Majesty, his heirs and successors, to create one peer of Ireland; and in like manner so often as three peerages of Ireland shall become extinct, it shall be lawful for his Majesty, his heirs and successors, to create one other peer of the said part of the United Kingdom; and if it shall happen that the peers of Ireland shall, by extinction of peerages or otherwise, be reduced to the number of one hundred exclusive of all such peers of Ireland as shall hold any peerage of Great Britain subsisting at the time of the union, or of the United Kingdom created since the union, by which such peers shall be entitled to an hereditary seat in the House of Lords of the United Kingdom then and in that case it shall and may be lawful for his Majesty, his heirs and successors, to create one peer of Ireland, as often as any one of

such one hundred peerages shall fail by extinction, or as often as any one peer of Ireland shall become entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom; it being the true intent and meaning of this Article, that at all times after the union it shall and may be lawful for his Majesty, his heirs and successors, to keep up the peerage of Ireland to the number of one hundred, over and above the number of such of the said peers as shall be entitled by descent or creation to an hereditary seat in the House of Lords of the United Kingdom:

That if any peerage shall at any time be in abeyance, such peerage shall be deemed and taken as an existing peerage; and no peerage shall be deemed extinct, unless on default of claimants to the inheritance of such peerage for the space of one year from the death of the person who shall have been last possessed thereof; and if no claim shall be made to the inheritance of such peerage. in such form and manner as may from time to time be prescribed by the House of Lords of the United Kingdom, before the expiration of the said period of a year, then and in that case such peerage shall be deemed extinct;

provided that nothing herein shall exclude any person from afterwards putting in a claim to the peerage so deemed extinct; and if such claim shall be allowed as valid by judgement of the House of Lords of the United Kingdom, reported to his Majesty, such peerage shall be considered as revived; and in case any new creation of a peerage of Ireland shall have taken place in the interval, in consequence of the supposed extinction of such peerage, then no new right of creation shall accrue to his Majesty, his heirs or successors in consequence of the next extinction which shall take place of any peerage of Ireland:

That all questions touching the election of members to sit on the part of Ireland in the House of Commons of the United Kingdom shall be heard and decided in the same manner as questions touching such elections in Great Britain now are or at any time hereafter shall by law be heard and decided; subject nevertheless to such particular regulations in respect of Ireland as, from local circumstances, the Parliament of the United Kingdom may from time to time deem expedient:

That when his Majesty, his heirs or successors, shall declare his, her or their pleasure for holding the first or any subsequent Parliament of the United Kingdom, a proclamation shall issue, under the Great Seal of the United Kingdom, to cause the commons, who are to serve in the Parliament thereof on the part of Ireland, to be returned in such manner as by any Act of this present session of the Parliament of Ireland shall be provided; and that the lords spiritual and temporal and commons of Great Britain shall, together with the commons so returned as aforesaid on the part of Ireland, constitute the two Houses of the Parliament of the United Kingdom:

and that the persons holding any temporal peerages of Ireland existing at the time of the union shall, from and after the union, have rank and precedence next and immediately after all the persons holding peerages of the like orders and degrees in Great Britain subsisting at the time of the union; and that all peerages of Ireland created after the union shall have rank and precedence with the peerages of the United Kingdom so created, according to the dates of their creations; and that all peerages both of Great Britain and Ireland now subsisting or hereafter to be created shall in all other respects from the date of the union be considered as peerages of the United Kingdom; and that the peers of Ireland shall, as peers of the United Kingdom enjoy all privileges of peers as fully as the peers of Great Britain, the right and privilege of sitting in the House of Lords and the privileges depending thereon. only excepted.

✓ Law In Force

ARTICLE FIFTH

That it be the Fifth Article of Union, that the doctrine, worship, discipline and government of the Church of Scotland shall remain and be preserved as the same are now established by law and by the Acts for the union of the two kingdoms of England and Scotland.

✓ Law In Force

ARTICLE SIXTH

That it be the Sixth Article of Union, that his Majesty's subjects of Great Britain and Ireland shall from and after the first day of January one thousand eight hundred and one be entitled to the same privileges and be on the same footing, as to encouragements and bounties on the like articles, being the growth, produce or manufacture of either country respectively, and generally in respect of trade and navigation in all ports and places in the United Kingdom and its dependencies; and that in all treaties made by his Majesty his heirs and successors, with any foreign power, his Majesty's subjects of Ireland shall have the same privileges and be on the same footing as his Majesty's subjects of Great Britain.

That from the first day of January one thousand eight hundred and one all prohibitions and bounties on the export of articles, the growth, produce or manufacture of either country, to the other shall cease and determine; and that the said articles shall thenceforth be exported from one country to the other without duty or bounty on such export:

That all articles, the growth, produce or manufacture of either country (not herein-after enumerated as subject to specific duties), shall from thenceforth be imported into each country from the other free from duty other than such countervailing duties. as shall hereafter be imposed by the Parliament of the United Kingdom, in the manner herein-after provided.

That any articles of the growth, produce or manufacture of either country, which are or may be subject to internal duty or to duty on the materials of which they are composed, may be made subject, on their importation into each country respectively from the other, to such countervailing duty as shall appear to be just and reasonable in respect of such internal duty or duties on the materials; and that upon the export of the said articles from each country to the other respectively, a drawback shall be given equal in amount to the countervailing duty payable on such articles on the import thereof into the same country from the other; and that in like manner in future it shall be competent to the united Parliament to impose any new or additional countervailing duties, or to take off or diminish such existing countervailing duties as may appear, on like principles, to be just and reasonable in respect of any future or additional internal duty on any article of the growth, produce or manufacture of either country, or of any new or additional duty on any materials of which such article may be composed, or of any abatement of duty on the same; and that when any such new or additional countervailing duty shall be so imposed on the import of any article into either country from the other, a drawback, equal in amount to such countervailing duty, shall be given in like manner on the export of every such article respectively from the same country to the other:

That all articles, the growth, produce or manufacture of either country, when exported through the other, shall in all cases be exported subject to the same charges as if they had been exported directly from the country of which they were the growth, produce or manufacture:

✓ Law In Force

ARTICLE SEVENTH

✓ Law In Force

ARTICLE EIGHTH

That it be the Eighth Article of Union, that all laws in force at the time of the union, and all the courts of civil and ecclesiastical jurisdiction within the respective kingdoms, shall remain as now by law established within the same, subject only to such alterations and regulations from time to time as circumstances may appear to the Parliament of the United Kingdom to require;

all laws at present in force in either kingdom, which shall be contrary to any of the provisions which may be enacted by any Act for carrying these Articles into effect, be from and after the union repealed.

And whereas the said Articles having, by address of the respective Houses of Parliament in Great Britain and Ireland, been humbly laid before his Majesty, his Majesty has been graciously pleased to approve the same, and to recommend it to his two Houses of Parliament in Great Britain and Ireland to consider of such measures as may be necessary for giving effect to the said Articles: In order therefore to give full effect and validity to the same, be it enacted by the King'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, that the said foregoing recited Articles, each and every one of them, according to the true import and tenor thereof, be ratified, confirmed and approved, and be and they are hereby declared to be the Articles of the Union of Great Britain and Ireland, and the same shall be in force and have effect for ever, from the first day of January which shall be in the year of our Lord one thousand eight hundred and one;

provided that before that period an Act shall have been passed by the Parliament of Ireland, for carrying into effect in the like manner the said foregoing recited Articles.

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Notes


- ¹ Short title given by Short Titles Act 1896 (c. 14), references in this Act to Great Britain and Ireland, United Kingdom of Great Britain and Ireland or Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X.p. 298: 1923. p. 400), art. 2
- ² S. 1 consolidated to 1 February 1991 S. 1 repealed so far as it ratifies part of art. 4 by Criminal Justice Act 1948 (c. 58), Sch. 10 Pt. III and so far as it relates to parts of arts, 4,6 by Statute Law Revision Act 1871 (c. 116); Functions of Court of Admiralty in Ireland now exercisable by Queen's Bench Division of High Court of Justice in Northern Ireland: Supreme Court of Judicature Act (Ireland) 1877 (c. 57), s. 9. Supreme Court of Judicature (Ireland) (No. 2) Act 1897 (c. 66), s. 6, Government of Ireland Act 1920 (c. 67), s. 41, S.R. & O. 1921/1802 (Rev. XVI. p. 954: 1921, p. 1332), arts. 2, 7 and S.R. & O. 1921/1804 (Rev. XVI. p. 967: 1921. p. 422), art. 5, Functions of His Majesty's Delegates in Court of Chancery in Ireland now exercisable by Court of Appeal in Northern Ireland: Court of Admiralty (Ireland) Act 1867 (c. 114), s. 92. Supreme Court of Judicature Act (Ireland) 1877 (c. 57), s. 23, Government of Ireland Act 1920 (c. 67), s. 41. S.R. & O. 1921/1802 (Rev. XVI. p. 954: 1921.p. 1332), art. 3 and S.R. & O. 1921/1804 (Rev. XVI. p. 967: 1921,p. 422), art. 5

Commencement

s. 1: July 2, 1800

Extent

s. 1: England, Wales, Scotland

 Law In Force

2. Recital of an Act of the Parliament of Ireland to regulate the mode by which the lords and the commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned.

And whereas an Act, intituled “An Act to regulate the mode by which the lords spiritual and temporal, and the commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament,” has been passed by the Parliament of Ireland, the tenor whereof is as follows:

An Act to regulate the mode by which the lords spiritual and temporal, and the commons, to serve in the Parliament of the United Kingdom on the part of Ireland, shall be summoned and returned to the said Parliament.

[...]¹ In case of the summoning of a new Parliament, or if the seat of any of the [...] ² commoners shall become vacant by death or otherwise, then the [...] ² counties, cities or boroughs, or any of them, as the case may be, shall proceed to a new election; [...] ² and no meeting shall at any time hereafter be summoned, called, convened or held for the purpose of electing any person or persons to serve or act or be considered as representative or representatives of any other place, town, city, corporation or borough ³, [...] ² or as representative or representatives of the freemen, freeholders, householders or inhabitants thereof, either in the Parliament of the United Kingdom or elsewhere (unless it shall hereafter be otherwise provided by the Parliament of the United Kingdom); [...] ⁴

Whenever his Majesty, his heirs and successors, shall by proclamation under the Great Seal of the United Kingdom summon a new Parliament of the United Kingdom of Great Britain and Ireland, the Chancellor, Keeper or Commissioners of the Great Seal of Ireland, shall cause writs to be issued to the several counties, cities, and boroughs in Ireland [...] ², for the election of members to serve in the Parliament of the United Kingdom [...] ² and whenever any vacancy of a seat in the House of Commons of the Parliament of the United Kingdom for any of the said counties, cities or boroughs, shall arise by death or otherwise, the Chancellor, Keeper or Commissioners of the Great Seal, upon such vacancy being certified to them respectively by the proper warrant, shall forthwith cause a writ to issue for the election of a person to fill up such vacancy; [...] ⁵

Be it enacted, that the said Act so herein recited be taken as a part of this Act, and be deemed to all intents and purposes incorporated within the same.

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Notes

¹ Words repealed by Statute Law Revision Act 1953 (2 & 3 Eliz.2 c. 5), Sch. 1 and Statute Law (Repeals) Act 1971 (c. 52), Sch. Pt. I

² Words repealed by Statute Law Revision Act 1953 (2 & 3 Eliz.2 c. 5), Sch. 1

³ “Any other place, town, city, corporation or borough” means any not theretofore named in the recited Act

⁴ Words repealed by Statute Law Revision Act 1953 (2 & 3 Eliz.2 c. 5), Sch. 1, Criminal Law Act 1967 (c. 58), s. 13, Sch. 4 Pt. II and Statute Law (Repeals) Act 1971 (c. 52), Sch. Pt. I

⁵ Words repealed with savings by Representation of the People Act 1949 (c. 68), s. 175, Sch. 9

- ⁶ Short title given by Short Titles Act 1896 (c. 14), references in this Act to Great Britain and Ireland, United Kingdom of Great Britain and Ireland or Ireland to be construed as exclusive of Republic of Ireland: S.R. & O.1923/405 (Rev. X.p. 298: 1923. p. 400), art. 2
- ⁷ Great Seal of Northern Ireland now used for all matters in Northern Ireland for which Great Seal of Ireland was formerly used, and kept by Secretary of State; Government of Ireland Act 1920 (c. 67), s. 44. Irish Free State (Consequential Provisions) Act 1922 (13 Geo. 5 Sess. 2 c. 2), Sch. 1 paras. 1, 2(4) and Northern Ireland Constitution Act 1973 (c. 36), Sch 5 para. 4 Title is not a reliable guide to the current text

Commencement

s. 2: July 2, 1800

Extent

s. 2: England, Wales, Scotland

 Repealed

3. [...] ¹**Notes**

¹ Repealed by Statute Law (Repeals) Act 1993 c. 50 Sch.1(XI) para.1 (November 5, 1993)

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