



Constitutional Reform Act 2005

CHAPTER 4

CONSTITUTIONAL REFORM ACT 2005

PART 1

THE RULE OF LAW

- 1 The rule of law

PART 2

ARRANGEMENTS TO MODIFY THE OFFICE OF LORD CHANCELLOR

Qualifications for office of Lord Chancellor

- 2 Lord Chancellor to be qualified by experience

Continued judicial independence

- 3 Guarantee of continued judicial independence
- 4 Guarantee of continued judicial independence: Northern Ireland

Representations by senior judges

- 5 Representations to Parliament
- 6 Representations to the Northern Ireland Assembly

Judiciary and courts in England and Wales

- 7 President of the Courts of England and Wales
- 8 Head and Deputy Head of Criminal Justice
- 9 Head and Deputy Head of Family Justice

Status: This is the original version (as it was originally enacted).

Judiciary and courts in Northern Ireland

- 10 The Lord Chancellor and Northern Ireland courts
- 11 Lord Chief Justice of Northern Ireland

Other provisions about the judiciary and courts

- 12 Powers to make rules
- 13 Powers to give directions
- 14 Transfer of appointment functions to Her Majesty
- 15 Other functions of the Lord Chancellor and organisation of the courts
- 16 Functions of the Lord Chief Justice during vacancy or incapacity

Lord Chancellor's oath

- 17 Lord Chancellor's oath

Speakership of the House of Lords

- 18 Speakership of the House of Lords

Functions subject to transfer, modification or abolition

- 19 Transfer, modification or abolition of functions by order
- 20 Protected functions not transferable under Ministers of the Crown Act 1975
- 21 Amendment of Schedule 7

Supplementary

- 22 Transfers: supplementary

PART 3

THE SUPREME COURT

The Supreme Court

- 23 The Supreme Court
- 24 First members of the Court

Appointment of judges

- 25 Qualification for appointment
- 26 Selection of members of the Court
- 27 Selection process
- 28 Report
- 29 The Lord Chancellor's options
- 30 Exercise of powers to reject or require reconsideration
- 31 Selection following rejection or requirement to reconsider

Terms of appointment

- 32 Oath of allegiance and judicial oath
- 33 Tenure
- 34 Salaries and allowances
- 35 Resignation and retirement
- 36 Medical retirement

37 Pensions

Acting judges

38 Acting judges

39 Supplementary panel

Jurisdiction, relation to other courts etc

40 Jurisdiction

41 Relation to other courts etc

Composition for proceedings

42 Composition

43 Changes in composition

Practice and procedure

44 Specially qualified advisers

45 Making of rules

46 Procedure after rules made

47 Photography etc

Staff and resources

48 Chief executive

49 Officers and staff

50 Accommodation and other resources

51 System to support Court in carrying on business

Fees

52 Fees

53 Fees: supplementary

Annual report

54 Annual report

Supplementary

55 Seal

56 Records of the Supreme Court

57 Proceedings under jurisdiction transferred to the Supreme Court

58 Northern Ireland Act 1998: excepted and reserved matters relating to the Supreme Court

59 Renaming of Supreme Courts of England and Wales and Northern Ireland

60 Interpretation of Part 3

PART 4

JUDICIAL APPOINTMENTS AND DISCIPLINE

CHAPTER 1

COMMISSION AND OMBUDSMAN

- 61 The Judicial Appointments Commission
- 62 Judicial Appointments and Conduct Ombudsman

CHAPTER 2

APPOINTMENTS

General provisions

- 63 Merit and good character
- 64 Encouragement of diversity
- 65 Guidance about procedures
- 66 Guidance: supplementary

Lord Chief Justice and Heads of Division

- 67 Selection of Lord Chief Justice and Heads of Division
- 68 Duty to fill vacancies
- 69 Request for selection
- 70 Selection process
- 71 Selection panel
- 72 Report
- 73 The Lord Chancellor's options
- 74 Exercise of powers to reject or require reconsideration
- 75 Selection following rejection or requirement to reconsider

Lords Justices of Appeal

- 76 Selection of Lords Justices of Appeal
- 77 Duty to fill vacancies
- 78 Request for selection
- 79 Selection process
- 80 Selection panel
- 81 Report
- 82 The Lord Chancellor's options
- 83 Exercise of powers to reject or require reconsideration
- 84 Selection following rejection or requirement to reconsider

Puisne judges and other office holders

- 85 Selection of puisne judges and other office holders
- 86 Duty to fill vacancies
- 87 Request for selection
- 88 Selection process
- 89 Report
- 90 The Lord Chancellor's options
- 91 Exercise of powers to reject or require reconsideration

- 92 Selection following rejection or requirement to reconsider
- 93 Reconsideration of decision not to select
- 94 Duty to identify persons for future requests

Supplementary provisions about selection

- 95 Withdrawal and modification of requests
- 96 Effect of acceptance of selection
- 97 Scotland and Northern Ireland

Assistance in connection with other appointments

- 98 Assistance in connection with other appointments

Complaints and references

- 99 Complaints: interpretation
- 100 Complaints to the Commission or the Lord Chancellor
- 101 Complaints to the Ombudsman
- 102 Report and recommendations
- 103 Report procedure
- 104 References by the Lord Chancellor
- 105 Information

Miscellaneous

- 106 Consultation on appointment of lay justices
- 107 Disclosure of information to the Commission

CHAPTER 3

DISCIPLINE

Disciplinary powers

- 108 Disciplinary powers
- 109 Disciplinary powers: interpretation

Applications for review and references

- 110 Applications to the Ombudsman
- 111 Review by the Ombudsman
- 112 Reports on reviews
- 113 References to the Ombudsman relating to conduct
- 114 Reports on references

General

- 115 Regulations about procedures
- 116 Contents of regulations
- 117 Procedural rules
- 118 Extension of discipline provisions to other offices
- 119 Delegation of functions

Scotland and Northern Ireland

- 120 Scotland

121 Northern Ireland

CHAPTER 4

INTERPRETATION OF PART 4

122 Interpretation of Part 4

PART 5

JUDICIAL APPOINTMENTS AND REMOVALS: NORTHERN IRELAND

CHAPTER 1

APPOINTMENTS

Disclosure of information to Commission

123 Disclosure of information to the Northern Ireland Judicial Appointments Commission

Ombudsman

124 Northern Ireland Judicial Appointments Ombudsman

Complaints and references

125 Complaints: interpretation

126 Complaints to the Commission or the Lord Chancellor

127 Complaints to the Ombudsman

128 Report and recommendations

129 Report procedure

130 References by the Lord Chancellor

131 Information

132 Confidentiality in relation to judicial appointments and discipline

CHAPTER 2

REMOVALS

133 Removal from most senior judicial offices

134 Removal from listed judicial offices

135 Tribunals for considering removal

136 Interpretation of Part 5

PART 6

OTHER PROVISIONS RELATING TO THE JUDICIARY

137 Parliamentary disqualification

138 Judicial Committee of the Privy Council

PART 7

GENERAL

139 Confidentiality

- 140 “Enactment”
- 141 “Subordinate legislation”
- 142 General interpretation
- 143 Supplementary provision etc
- 144 Orders and regulations
- 145 Minor and consequential amendments
- 146 Repeals and revocations
- 147 Extent
- 148 Commencement
- 149 Short title

SCHEDULES

SCHEDULE 1 — Powers to make rules

Part 1 — THE PROCESS

- 1 Interpretation
 - 2 The process
 - 3 (1) The Lord Chief Justice, or his nominee, may make...
 - 4 (1) Designated rules made by the Lord Chief Justice, or...
 - 5 (1) This paragraph applies if the Lord Chancellor gives the...
- #### Part 2 — RULE-MAKING POWERS SUBJECT TO THE PROCESS IN PART 1
- 6 Trustee Act 1925 (c. 19)
 - 7 Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36)
 - 8 Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)
 - 9 Courts-Martial (Appeals) Act 1968 (c. 20)
 - 10 Adoption Act 1976 (c. 36)
 - 11 Supreme Court Act 1981 (c. 54)
 - 12 (1) Section 127 (probate rules) is amended as follows.
 - 13 (1) Section 136 (production of documents filed in, or in...
 - 14 Mental Health Act 1983 (c. 20)
 - 15 In section 108 (general provisions as to rules under Part...
 - 16 In section 143 (general provisions as to regulations, orders and...
 - 17 County Courts Act 1984 (c. 28)
 - 18 Matrimonial and Family Proceedings Act 1984 (c. 42)
 - 19 Coroners Act 1988 (c. 13)
 - 20 In section 11 (proceedings at inquest), for subsection (5)(c) substitute —...
 - 21 (1) Section 32 (power to make rules) is amended as...
 - 22 Family Law Act 1996 (c. 27)
 - 23 (1) For the title to section 12 substitute “Rules about...
 - 24 In section 65 (rules, regulations and orders), in subsection (5)...
 - 25 The power to amend or repeal enactments that is referred...
 - 26 Adoption and Children Act 2002 (c. 38)
 - 27 In section 141 (rules of procedure), in subsection (1) for...
 - 28 In section 142 (supplementary and consequential provision), in subsection (4)...
 - 29 Courts Act 2003 (c. 39)

SCHEDULE 2 — Powers to give directions

Part 1 — THE PROCESS

- 1 Interpretation

Status: This is the original version (as it was originally enacted).

- 2 The process
- 3 (1) The Lord Chief Justice, or his nominee, may make...
 - Part 2 — POWERS OF DIRECTION SUBJECT TO THE PROCESS IN PART 1
- 4 Courts-Martial (Appeals) Act 1968 (c. 20)
- 5 Supreme Court Act 1981 (c. 54)
- 6 Civil Procedure Act 1997 (c. 12)
- 7 Courts Act 2003 (c. 39)
- 8 (1) Section 74 (practice directions as to practice and procedure...)
- 9 (1) Section 81 (practice directions relating to family proceedings) is...

SCHEDULE 3 — Transfer of appointment functions to Her Majesty

- 1 District Judges
- 2 (1) For sections 100 and 101 of the Supreme Court...
- 3 High Court Masters and Registrars
- 4 In section 93(2) of the Mental Health Act 1983 (c....)
- 5 Senior District Judge (Chief Magistrate)
- 6 In section 10A(2) of the Justices of the Peace Act...

SCHEDULE 4 — Other functions of the Lord Chancellor and organisation of the courts

Part 1 — AMENDMENTS

- 1 Ecclesiastical Licences Act 1533 (c. 21)
- 2 Habeas Corpus Act 1679 (c. 2)
- 3 In section 1 (bringing before Lord Chancellor or other judges)...
- 4 In section 2 (appeal to Lord Chancellor or other judges)...
- 5 In section 9 (Lord Chancellor or other judge unduly denying...)
- 6 Cestui que Vie Act 1707 (c. 72)
- 7 Pluralities Act 1838 (c. 106)
- 8 (1) Section 126 (consent of patron etc. where patronage in...)
- 9 (1) Section 128 (consent of patron etc. where patronage attached...)
- 10 Ecclesiastical Leasing Act 1842 (c. 108)
- 11 (1) Section 22 (consent of patron where patronage in the...)
- 12 In section 23 (consent of patron where patronage attached to...)
- 13 Public Notaries Act 1843 (c. 90)
- 14 Inclosure Act 1859 (22 & 23 Vict. c. 43)
- 15 British Law Ascertainment Act 1859 (c. 63)
- 16 Promissory Oaths Act 1871 (c. 48)
- 17 Stannaries Court (Abolition) Act 1896 (c. 45)
- 18 Judicial Committee Act 1915 (c. 92)
- 19 Administration of Justice Act 1925 (c. 28)
- 20 Children and Young Persons Act 1933 (c. 12)
- 21 Compensation (Defence) Act 1939 (c. 75)
- 22 In section 18 (application to Scotland and Northern Ireland)—
- 23 London Building Acts (Amendment) Act 1939 (c. xcvi)
- 24 Pensions Appeal Tribunals Act 1943 (c. 39)
- 25 In section 6D (procedure in proceedings before Commissioner), after subsection...
- 26 Omit section 13 (application to Scotland).
- 27 Omit section 14 (application to Northern Ireland).
- 28 (1) The Schedule (constitution, jurisdiction and procedure of Tribunals) is...
- 29 Agriculture Act 1947 (c. 48)

- 30 In section 73 (establishment, constitution and procedure of Agricultural Land...
- 31 (1) The functions of the Lord Chancellor under section 75...
- 32 In section 108 (regulations and orders), in subsection (1) omit...
- 33 (1) Schedule 9 (constitution of Agricultural Land Tribunals) is amended...
- 34 Lands Tribunal Act 1949 (c. 42)
- 35 Registered Designs Act 1949 (c. 88)
- 36 (1) Section 27 (meaning of the court) is amended as...
- 37 (1) Section 28 (the Appeal Tribunal) is amended as follows....
- 38 Courts-Martial (Appeals) Act 1951 (c. 46)
- 39 In section 28 (provisions with respect to office of Judge...
- 40 In section 32 (tenure of office of Judge Advocate General...
- 41 Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)
- 42 City of London (Guild Churches) Act 1952 (c. xxxviii)
- 43 Pharmacy Act 1954 (c. 61)
- 44 Mines and Quarries Act 1954 (c. 70)
- 45 Land Powers (Defence) Act 1958 (c. 30)
- 46 (1) Paragraph 4 (inquiries into objections) is amended as follows....
- 47 (1) Paragraph 8 (application to court to challenge order) is...
- 48 Omit paragraphs 10 and 11 (modifications for application to Scotland...
- 49 Agriculture Act 1958 (c. 71)
- 50 Land Powers (Defence) Act (Inquiries) Rules 1958 (S.I. 1958/2231)
- 51 Mental Health Act 1959 (c. 72)
- 52 Administration of Justice Act 1960 (c. 65)
- 53 Transport Act 1962 (c. 46)
- 54 (1) Section 74 (Minister's power to make orders about pensions)...
- 55 (1) Section 81 (compensation to officers and servants of the...
- 56 (1) In Schedule 7 (transitional provisions) paragraph 17 is amended...
- 57 Schedule 11 (application to Northern Ireland) is amended as follows....
- 58 (1) Paragraph 6 (appointment of referee or board of referees)...
- 59 Omit paragraph 10.
- 60 City of London (Courts) Act 1964 (c. iv)
- 61 Finance Act 1966 (c. 18)
- 62 Courts-Martial (Appeals) Act 1968 (c. 20)
- 63 Taxes Management Act 1970 (c. 9)
- 64 In section 2 (General Commissioners), after subsection (6) insert—
- 65 (1) Section 4 (Special Commissioners) is amended as follows.
- 66 Administration of Justice Act 1970 (c. 31)
- 67 Courts Act 1971 (c. 23)
- 68 In section 17 (retirement, removal and disqualification of Circuit judges),...
- 69 (1) Section 21 (appointment of Recorders) is amended as follows....
- 70 (1) Section 22 (oaths to be taken by Circuit judges...
- 71 (1) Section 24 (deputy Circuit judges and assistant Recorders) is...
- 72 In the table in paragraph 2 of Schedule 8 (general...
- 73 In Schedule 10 (transitional provisions), omit paragraphs 3 and 4....
- 74 Misuse of Drugs Act 1971 (c. 38)
- 75 Land Charges Act 1972 (c. 61)
- 76 Matrimonial Causes Act 1973 (c. 18)
- 77 Juries Act 1974 (c. 23)
- 78 In section 5 (panels of persons summoned as jurors), after...

Status: This is the original version (as it was originally enacted).

- 79 (1) Section 9AA (requirement to issue guidance) is amended as...
- 80 Plant Varieties and Seeds Tribunal Rules 1974 (S.I. 1974/1136)
- 81 Industry Act 1975 (c. 68)
- 82 Local Land Charges Act 1975 (c. 76)
- 83 After section 13 insert— Specification of fees by registering authorities...
- 84 (1) Section 9 (official searches) is amended as follows.
- 85 (1) In section 14 (rules), for subsection (1)(h) substitute—
- 86 Armed Forces Act 1976 (c. 52)
- 87 Race Relations Act 1976 (c. 74)
- 88 Rent (Agriculture) Act 1976 (c. 80)
- 89 Aircraft and Shipbuilding Industries Act 1977 (c. 3)
- 90 Patents Act 1977 (c. 37)
- 91 (1) Section 97 (appeals from the comptroller) is amended as...
- 92 (1) Section 102A (right of audience etc in proceedings on...
- 93 Administration of Justice Act 1977 (c. 38)
- 94 Rent Act 1977 (c. 42)
- 95 National Health Service Act 1977 (c. 49)
- 96 Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)
- 97 Customs and Excise Management Act 1979 (c. 2)
- 98 Tobacco Products Duty Act 1979 (c. 7)
- 99 Magistrates' Courts Act 1980 (c. 43)
- 100 (1) Section 3B (transfer of trials of summary offences) is...
- 101 (1) Section 67 (Family Proceedings Courts) (as substituted by section...
- 102 (1) Section 144 (rule committee and rules of procedure) is...
- 103 After section 144 insert— Rules to be made if required...
- 104 Housing Act 1980 (c. 51)
- 105 Pensions Appeal Tribunals (Posthumous Appeals) Order 1980 (S.I. 1980/1082)
- 106 In Article 6 (directions in relation to appeals brought or...
- 107 In Article 10 (application to Scotland), omit paragraphs (b) and...
- 108 In Article 11 (application to Northern Ireland)—
- 109 Judicial Pensions Act 1981 (c. 20)
- 110 In section 1 (interpretation) in the entry beginning “Judge of...
- 111 (1) Section 5 (Circuit Judge in England and Wales) is...
- 112 (1) Section 7 (stipendiary magistrates in England and Wales) is...
- 113 (1) Section 13 (Social Security Commissioners) is amended as follows....
- 114 Supreme Court Act 1981 (c. 54)
- 115 (1) Section 2 (membership of the Court of Appeal) is...
- 116 (1) Section 3 (Divisions of Court of Appeal) is amended...
- 117 (1) Section 4 (membership of the High Court) is amended...
- 118 (1) Section 5 (divisions of the High Court) is amended...
- 119 (1) Section 6 (the Patents, Admiralty and Commercial Courts) is...
- 120 (1) Section 7 (power to alter Divisions etc) is amended...
- 121 (1) Section 9 (assistance for transaction of judicial business of...
- 122 (1) Section 10 (appointment of judges of Supreme Court) is...
- 123 (1) Section 11 (tenure of office) is amended as follows....
- 124 In section 12 (salaries etc of judges of Supreme Court),...
- 125 (1) Section 13 (precedence of judges of Supreme Court) is...
- 126 In section 44 (extraordinary functions of judges of High Court),...
- 127 In section 56B (allocation of cases in criminal division), in...
- 128 (1) Section 57 (Court of Appeal: sittings and vacations) is...

- 129 (1) Section 61 (distribution of business among Divisions) is amended...
- 130 (1) Section 63 (business assigned to specially nominated judges) is...
- 131 (1) Section 68 (exercise of jurisdiction of High Court otherwise...
- 132 (1) Section 71 (High Court: sittings and vacations) is amended...
- 133 (1) Section 74 (appeals and committals for sentence) is amended...
- 134 (1) Section 78 (Crown Court: sittings) is amended as follows....
- 135 (1) Section 82 (duties of officers of Crown Court) is...
- 136 Omit section 84(8) (rules of court for Crown Court etc...
- 137 (1) Section 86 (the Crown Court Rule Committee) is amended...
- 138 After section 86 insert— Process for making rules of court...
- 139 (1) Section 91 (deputies and temporary appointments) is amended as...
- 140 (1) Section 92 (tenure of office) is amended as follows....
- 141 (1) Section 96 (Central Office) is amended as follows.
- 142 In section 98 (judges' clerks and secretaries), in subsection (1)...
- 143 (1) Section 99 (district registries) is amended as follows.
- 144 (1) Section 104 (district probate registries) is amended as follows....
- 145 (1) Section 131 (conveyancing counsel of Supreme Court) is amended...
- 146 In section 151 (interpretation), in subsection (1) for the definition...
- 147 Administration of Justice Act 1982 (c. 53)
- 148 (1) Section 25 (regulations as to deposit and registration of...
- 149 Representation of the People Act 1983 (c. 2)
- 150 Mental Health Act 1983 (c. 20)
- 151 (1) Section 93 (judicial authorities and Court of Protection) is...
- 152 In section 94 (exercise of the judge's functions: the patient),...
- 153 In section 96 (powers of the judge as to the...
- 154 In section 104 (general powers of the judge with respect...
- 155 In section 105 (appeals), in subsection (2) omit "from any...
- 156 (1) Section 108 (general provisions as to rules under Part...
- 157 (1) Section 111 (construction of references in other Acts) is...
- 158 (1) Schedule 2 (mental health review tribunals) is amended as...
- 159 Pastoral Measure 1983 (1983 No. 1)
- 160 County Courts Act 1984 (c. 28)
- 161 (1) Section 2 (county court districts etc) is amended as...
- 162 (1) Section 3 (places and times of sittings) is amended...
- 163 (1) Section 5 (judges of county courts) is amended as...
- 164 (1) Section 11 (tenure of office) is amended as follows....
- 165 In section 12 (records of proceedings to be kept by...
- 166 (1) Section 26 (districts for Admiralty purposes) is amended as...
- 167 In section 38 (remedies available in county courts), in subsection...
- 168 (1) Section 61 (right of audience by direction) is amended...
- 169 Omit section 74A (practice directions).
- 170 In section 145 (power to raise monetary limits), after subsection...
- 171 Matrimonial and Family Proceedings Act 1984 (c. 42)
- 172 (1) Section 33 (jurisdiction of county courts in matrimonial cases)...
- 173 (1) Section 36 (assignment of circuit judges to family proceedings)...
- 174 (1) Section 42 (county court proceedings in principal registry of...
- 175 Inheritance Tax Act 1984 (c. 51)
- 176 In section 256 (regulations about accounts etc), for subsection (3A)...
- 177 (1) Section 257 (form etc of accounts) is amended as...
- 178 Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)
- 179 Transport Act 1985 (c. 67)
- 180 Housing Act 1985 (c. 68)
- 181 Omit section 111 (secure tenancies: county court rules and directions)...

-
- 182 In section 181 (right to buy: jurisdiction of county court),...
- 183 In section 572 (assistance for owners of defective housing: jurisdiction...
- 184 Merchant Shipping (Formal Investigations) Rules 1985 (S.I. 1985/1001)
- 185 Insolvency Act 1986 (c. 45)
- 186 (1) Section 117 (High Court and county court jurisdiction) is...
- 187 (1) Section 374 (insolvency districts) is amended as follows.
- 188 (1) Section 411 (company insolvency rules) is amended as follows....
- 189 (1) Section 412 (individual insolvency rules (England and Wales) is...
- 190 (1) Section 413 (Insolvency Rules committee) is amended as follows....
- 191 (1) Section 420 (insolvent partnerships) is amended as follows.
- 192 (1) Section 421 (insolvent estates of deceased persons) is amended...
- 193 Coroners Act 1988 (c. 13)
- 194 (1) Section 3 (terms on which coroners hold office) is...
- 195 In section 33 (savings), in subsection (2)(a) omit "the Lord...
- 196 Criminal Justice Act 1988 (c. 33)
- 197 Finance Act 1988 (c. 39)
- 198 Copyright, Designs and Patents Act 1988 (c. 48)
- 199 (1) Section 146 (membership of the copyright tribunal) is amended...
- 200 (1) Section 287 (patents county courts: special jurisdiction) is amended...
- 201 (1) Section 291 (proceedings in patents county court) is amended...
- 202 (1) Section 292 (rights and duties of registered patent agents...
- 203 Children Act 1989 (c. 41)
- 204 (1) Section 7 (welfare reports) is amended as follows.
- 205 (1) Section 92 (jurisdiction of the courts) is amended as...
- 206 (1) Section 94 (appeals) is amended as follows.
- 207 In section 96 (evidence given by, or with respect to,...
- 208 (1) In section 97 (privacy for children involved in certain...
- 209 (1) In Schedule 1 (financial provision for children), paragraph 5...
- 210 (1) Schedule 11 (jurisdiction) is amended as follows.
- 211 Courts and Legal Services Act 1990 (c. 41)
- 212 (1) Section 1 (allocation of business between High Court and...
- 213 In section 9 (allocation of family proceedings which are within...
- 214 (1) Section 11 (representation in certain county court cases) is...
- 215 (1) Section 73 (delegation of certain administrative functions of Master...
- 216 In section 119 (interpretation), in subsection (1) in the definition...
- 217 Armed Forces Act 1991 (c. 62)
- 218 Child Support Act 1991 (c. 48)
- 219 (1) Section 8 (role of the courts with respect to...
- 220 In section 45 (jurisdiction of courts in certain proceedings under...
- 221 (1) Schedule 4 (Child Support Commissioners) is amended as follows....
- 222 Land Drainage Act 1991 (c. 59)
- 223 Tribunals and Inquiries Act 1992 (c. 53)
- 224 In section 6 (appointment of chairmen of certain tribunals), omit...
- 225 (1) In section 7 (concurrence required for removal of members...
- 226 Judicial Pensions and Retirement Act 1993 (c. 8)
- 227 (1) Section 2 (the judicial officer's entitlement to a pension)...
- 228 (1) Section 26 (retirement date for holders of certain judicial...
- 229 In Schedule 1 (offices which may be qualifying judicial offices)...
- 230 In Schedule 5 (retirement provisions: the relevant offices), in the...
- 231 Bail (Amendment) Act 1993 (c. 26)
- 232 Welsh Language Act 1993 (c. 38)

- 233 Local Government (Wales) Act 1994 (c. 19)
- 234 After subsection (5) insert— (6) The Lord Chief Justice may...
- 235 Value Added Tax Act 1994 (c. 23)
- 236 In section 86 (appeals to the Court of Appeal), after...
- 237 (1) Schedule 12 (constitution and procedure of VAT tribunals) is...
- 238 Trade Marks Act 1994 (c. 26)
- 239 Merchant Shipping Act 1995 (c. 21)
- 240 Reserve Forces Act 1996 (c. 14)
- 241 In section 90 (appointment of panel of chairmen), after subsection...
- 242 In section 91 (appointment of panel of ordinary members), after...
- 243 (1) Section 92 (membership of tribunals etc) is amended as...
- 244 After section 92 insert— Sections 90 to 92: supplementary (1) In sections 90 and 91 “appropriate senior judge”, in...
- 245 Employment Tribunals Act 1996 (c. 17)
- 246 (1) Section 22 (membership of appeal tribunal) is amended as...
- 247 (1) Section 23 (temporary membership) is amended as follows.
- 248 (1) Section 24 (temporary additional judicial membership) is amended as...
- 249 In section 25 (tenure of appointed members) after subsection (4)...
- 250 Arbitration Act 1996 (c. 23)
- 251 Criminal Procedure and Investigations Act 1996 (c. 25)
- 252 Family Law Act 1996 (c. 27)
- 253 (1) Section 57 (jurisdiction of the courts) is amended as...
- 254 (1) Section 61 (appeals) is amended as follows.
- 255 Defamation Act 1996 (c. 31)
- 256 Housing Act 1996 (c. 52)
- 257 In section 138 (introductory tenancies: jurisdiction of county court), omit...
- 258 In section 143N (demoted tenancies: jurisdiction of county court), omit...
- 259 Education Act 1996 (c. 56)
- 260 Deregulation (Model Appeal Provisions) Order 1996 (S.I. 1996/1678)
- 261 Civil Procedure Act 1997 (c. 12)
- 262 In section 1 (civil procedure rules), in subsection (3) (as...
- 263 (1) Section 2 (Civil Procedure Rule Committee) is amended as...
- 264 (1) Section 2A (power to change certain requirements relating to...
- 265 (1) Section 3 (process for making Civil Procedure rules) (as...
- 266 After section 3 insert— Rules to be made if required...
- 267 (1) Section 4 (power to make consequential amendments) (as amended...
- 268 (1) Section 6 (Civil Justice Council) is amended as follows....
- 269 Plant Varieties Act 1997 (c. 66)
- 270 Reserve Forces Appeal Tribunals Rules 1997 (S.I. 1997/798)
- 271 Social Security Act 1998 (c. 14)
- 272 (1) Section 6 (panel for appointment to appeal tribunals) is...
- 273 In Schedule 1 (Appeal Tribunals: supplementary provisions), in paragraph 1(3)...
- 274 In Schedule 4 (Social Security Commissioners), in paragraph 5 (removal)...
- 275 Data Protection Act 1998 (c. 29)
- 276 Crime and Disorder Act 1998 (c. 37)
- 277 (1) Section 10 (appeals against parenting orders) is amended as...
- 278 Human Rights Act 1998 (c. 42)

Status: This is the original version (as it was originally enacted).

- 279 Access to Justice Act 1999 (c. 22)
- 280 (1) Section 56 (power to prescribe alternative destination of appeals)...
- 281 (1) Section 68 (judges holding office in European or international...
- 282 (1) Section 69 (Vice-President of Queen's Bench division) is amended...
- 283 Immigration and Asylum Act 1999 (c. 33)
- 284 (1) Section 53 (applications for bail in immigration cases) is...
- 285 In Schedule 7 (Immigration Services Tribunal), in paragraph 3 (terms...
- 286 Financial Services and Markets Act 2000 (c. 8)
- 287 Terrorism Act 2000 (c. 11)
- 288 (1) Section 74 (court for trial) is amended as follows....
- 289 (1) In Schedule 3 (Proscribed Organisations Appeal Commission),
paragraph 4...
- 290 (1) Schedule 8 (detention) is amended as follows.
- 291 Local Government Act 2000 (c. 22)
- 292 Postal Services Act 2000 (c. 26)
- 293 Transport Act 2000 (c. 38)
- 294 In section 61 (special provisions about land), in subsection (6)(c)...
- 295 In section 93 (control in time of hostilities etc), in...
- 296 In section 94 (orders for possessions of aerodromes etc), in...
- 297 (1) Schedule 6 (transfer schemes) is amended as follows.
- 298 Criminal Justice and Court Services Act 2000 (c. 43)
- 299 International Criminal Court Act 2001 (c. 17)
- 300 Anti-terrorism, Crime and Security Act 2001 (c. 24)
- 301 Land Registration Act 2002 (c. 9)
- 302 (1) Section 127 (exercise of powers) is amended as follows....
- 303 In Schedule 9 (the Adjudicator), in paragraph 1 (holding of...
- 304 Enterprise Act 2002 (c. 40)
- 305 (1) Section 268 (disqualification from office: general) is amended as...
- 306 In paragraph 2 of Schedule 2 (tenure of members of...
- 307 Finance Act 2003 (c. 14)
- 308 Courts Act 2003 (c. 39)
- 309 (1) In section 2 (Court officers, staff and services), in...
- 310 (1) Section 4 (establishment of courts boards) is amended as...
- 311 (1) Section 5 (functions of courts boards) is amended as...
- 312 (1) Section 8 (local justice areas) is amended as follows....
- 313 (1) Section 10 (appointment of lay justices etc) is amended...
- 314 In section 11 (resignation and removal of lay justices), in...
- 315 (1) Section 13 (entry of names in the supplemental list)...
- 316 In section 14 (removal of names from the supplemental list),...
- 317 (1) Section 15 (lay justices' allowances) is amended as follows....
- 318 In section 16 (records of lay justices), after subsection (3)...
- 319 (1) Section 17 (chairman and deputy chairmen) is amended as...
- 320 (1) Section 19 (training, development and appraisal of lay justices)...
- 321 (1) Section 20 (rules) is amended as follows.
- 322 (1) Section 21 (duty to consult lay justices on matters...
- 323 In section 22 (appointment of District Judges (Magistrates' Courts)), in...
- 324 In section 24 (Deputy District Judges (Magistrates' Courts)), in
subsection...
- 325 (1) Section 25 (District Judges (Magistrates' Courts) as justices of...
- 326 (1) Section 27 (justices' clerks and assistant clerks) is amended...
- 327 (1) Section 28 (functions) is amended as follows.
- 328 (1) Section 30 (places, dates and times of sittings) is...
- 329 (1) Section 34 (costs in legal proceedings) is amended as...

- 330 For section 62 substitute— Head and Deputy Head of Civil...
331 (1) Section 64 (power to alter judicial titles) is amended...
332 In section 69 (Criminal Procedure Rules), in subsection (4) omit...
333 (1) Section 70 (Criminal Procedure Rule Committee) is amended as...
334 (1) Section 71 (power to change certain requirements relating to...
335 (1) Section 72 (process for making Criminal Procedure Rules) is...
336 After section 72 insert— Rules to be made if required...
337 (1) Section 73 (power to amend legislation in connection with...
338 In section 75 (Family Procedure Rules), in subsection (5) omit...
339 (1) Section 77 (Family Procedure Rule Committee) is amended as...
340 (1) Section 78 (power to change certain requirements relating to...
341 (1) Section 79 (process for making Family Procedure Rules) is...
342 After section 79 insert— Rules to be made if required...
343 (1) Section 80 (power to amend legislation in connection with...
344 (1) Section 81 (practice directions relating to family proceedings) is...
345 In section 92 (fees), in subsection (5) for paragraphs (c)...
346 (1) Section 102 (power to alter judicial titles: Northern Ireland)...
347 In section 107 (interpretation), in subsection (6) omit “by the...
348 In section 108 (rules, regulations and orders), in subsections (1)...
349 (1) Section 109 (minor and consequential amendments etc) is amended...
350 (1) Schedule 1 (constitution and procedure of courts boards) is...
351 In Schedule 7 (High Court writs of execution), in paragraph...
352 Extradition Act 2003 (c. 41)
353 (1) Section 67 (the appropriate judge) is amended as follows....
354 (1) Section 139 (the appropriate judge) is amended as follows....
355 In section 185 (free legal aid: supplementary), in subsection (6)...
356 Criminal Justice Act 2003 (c. 44)
357 (1) Section 167 (Sentencing Guidelines Council) is amended as follows....
358 (1) Section 168 (Sentencing Guidelines Council: supplementary) is amended as...
359 (1) Section 330 (orders and rules) is amended as follows....
360 Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I. 2004/ 1861)
 Part 2 — AMENDMENTS OF OR RELATING TO ENACTMENTS REPEALED OR AMENDED OTHERWISE THAN BY THIS ACT
361 Introduction
362 Promissory Oaths Act 1871 (c. 48)
363 Children and Young Persons Act 1933 (c. 12)
364 Pensions Appeal Tribunals Act 1943 (c. 39)
365 Maintenance Orders Act 1950 (c. 37)
366 Courts Act 1971 (c. 23)
367 Restrictive Practices Court Act 1976 (c. 33)
368 (1) In section 1 (the Court), after subsection (3) insert—...
369 (1) Section 2 (judges of the Court) is amended as...
370 (1) Section 3 (non-judicial members) is amended as follows.
371 (1) Section 4 (provision for additional judges or members) is...
372 (1) Section 6 (administration) is amended as follows.
373 (1) In section 9 (procedure), in subsection (1) for “Lord...
374 Magistrates' Courts Act 1980 (c. 43)
375 (1) Section 67 (family proceedings courts and panels) is amended...
376 (1) Section 68 (combined family panels) is amended as follows....

Status: This is the original version (as it was originally enacted).

- 377 (1) In section 146 (rules relating to youth court panels...
- 378 Supreme Court Act 1981 (c. 54)
- 379 Matrimonial and Family Proceedings Act 1984 (c. 42)
- 380 (1) Section 40 (family proceedings rules) is amended as follows....
- 381 (1) After section 40 insert— Process for making rules of...
- 382 Railways Act 1993 (c. 43)
- 383 (1) In section 91 (transfer schemes: general), in subsection (7)(c)...
- 384 (1) Schedule 8 (transfers by transfer scheme) is amended as...
- 385 Civil Procedure Act 1997 (c. 12)
- 386 Justices of the Peace Act 1997 (c. 25)
- 387 (1) Section 1 (Commission areas) is amended as follows.
- 388 (1) Section 4 (petty sessions areas) is amended as follows....
- 389 In section 5 (appointment and removal of justices of the...
- 390 (1) Section 6 (residence qualification) is amended as follows.
- 391 In section 7 (supplemental list for England and Wales), in...
- 392 In section 8 (removal of name from supplemental list), in...
- 393 (1) Section 9 (effect of entry of name in supplemental...
- 394 In section 10A (appointment and tenure), in subsection (3) after...
- 395 In section 10B (deputies), in subsection (2) after “Lord Chancellor”...
- 396 (1) Section 10C (status) is amended as follows.
- 397 (1) Section 24 (rules as to chairmanship and size of...
- 398 In section 25 (records of justices of the peace) after...
- 399 (1) Section 26 (Greater Manchester, Merseyside and Lancashire) is amended...
- 400 (1) Section 27A (magistrates' courts committees) is amended as follows....
- 401 (1) Section 27B (alteration of committee areas) is amended as...
- 402 (1) Section 33 (alteration of petty sessions areas) is amended...
- 403 (1) Section 53A (costs in legal proceedings) is amended as...
- 404 (1) Section 54 (indemnification of justices and justices' clerks) is...
- 405 (1) Section 64 (training courses) is amended as follows.
- 406 Data Protection Act 1998 (c. 29)
- 407 Nationality, Immigration and Asylum Act 2002 (c. 41)

SCHEDULE 5 — Functions under legislation relating to Northern Ireland

Part 1 — AMENDMENTS

- 1 Land Law (Ireland) Act 1896 (c. 47)
- 2 Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))
- 3 In section 2 (appointment of coroners), after subsection (1) insert—...
- 4 (1) Section 3 (power to amalgamate districts) is amended as...
- 5 (1) Section 6 (coroner to hold inquests in district in...
- 6 (1) Section 36 is amended as follows.
- 7 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 8 In section 102 (appointment and assignment of judges), in subsections...
- 9 In section 105 (tenure and oaths of office and retirement...
- 10 In section 107 (deputy judges), in subsection (4) omit “Lord...
- 11 In section 116 (pensions of judges), after subsection (5) insert—...
- 12 Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c. 2 (N.I.))
- 13 In section 1 (retiring age of resident magistrates), omit “Lord...
- 14 In section 2 (pensions of resident magistrates), after subsection (6)...
- 15 Omit section 11 (resident magistrates already serving).
- 16 Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.))

- 17 Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))
- 18 Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))
- 19 Land Registration Act (Northern Ireland) 1970 (c. 18 (N.I.))
- 20 Misuse of Drugs Tribunal (Northern Ireland) Rules 1974 (S.R. 1974/256)
- 21 Social Security (Northern Ireland) Act 1975 (c. 15)
- 22 Judicature (Northern Ireland) Act 1978 (c. 23)
- 23 (1) Section 7 (further assistance for transaction of judicial business)...
- 24 (1) Section 47 (exercise of jurisdiction by Crown Court) is...
- 25 In section 48 (committal for trial on indictment), in subsection...
- 26 In section 52 (Crown Court rules), in subsection (1) for...
- 27 (1) Section 53 (membership of the Crown Court Rules Committee)...
- 28 After section 53 insert— Making of Crown Court rules (1) It is for the Crown Court Rules Committee to...
- 29 (1) Section 55 (rules of court) is amended as follows....
- 30 After section 55 insert— Making of rules of Court (1) It is for the Rules Committee to make rules...
- 31 (1) Section 58 (sittings of High Court and Court of...
- 32 (1) Section 60 (taxation of costs) is amended as follows....
- 33 (1) Section 68 (departments of the Supreme Court) is amended...
- 34 In section 71 (tenure of office of statutory officers), in...
- 35 (1) Section 75 (Official Solicitor) is amended as follows.
- 36 (1) Section 103 (appointment of justices of the peace) is...
- 37 Omit section 104 (under-sheriffs).
- 38 (1) Section 112 (oaths and affidavits) is amended as follows....
- 39 In section 119 (making and control of subordinate legislation), in...
- 40 (1) Schedule 6 (transitional provisions) is amended as follows.
- 41 Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15))
- 42 Reserve and Auxiliary Forces (Protection of Civil Interests) (Northern Ireland) Order 1979 (S.I. 1979/291)
- 43 Administration of Estates (Northern Ireland) Order 1979 (S.I. 1979/1575 (N.I. 14))
- 44 (1) Article 20 (inheritance tax accounts) is amended as follows....
- 45 (1) Article 23 (keeping and inspection of wills and other...
- 46 (1) Article 24 (records of grants) is amended as follows....
- 47 (1) Article 26 (copies of wills etc to be delivered)...
- 48 County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 3))
- 49 In Article 2 (interpretation), in paragraph (5) omit “on the...
- 50 In Article 3 (county courts to be held for divisions),...
- 51 In Article 4 (directions as to holding of courts), for...
- 52 In Article 5 (directions for courts to sit otherwise in...
- 53 (1) Article 6 (appointment of days for holding of ordinary...
- 54 In Article 7 (additional and extraordinary sittings), in paragraphs (1)...
- 55 In Article 22 (power to increase civil jurisdiction of county...
- 56 In Article 46 (as amended by section 73(2) of the...
- 57 In Article 47 (making of county court rules) for paragraphs...
- 58 In Article 56 (swearing of affidavits before designated court officer),...
- 59 In Article 58 (furnishing of information by certain officers), at...
- 60 Domestic Proceedings (Northern Ireland) Order 1980 (S.I. 1980/563 (N.I. 5))

-
- 61 Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))
- 62 (1) Article 6A (costs in legal proceedings) is amended as...
- 63 (1) Article 11 (petty sessions and petty sessions districts) is...
- 64 In Article 12 (holding of petty sessions in courthouse), in...
- 65 (1) Article 13 (magistrates' courts rules) is amended as follows....
- 66 Omit Article 14 (recommendations by Rules Committee to Lord Chancellor)....
- 67 In Article 15 (rules under or for the purpose of...
- 68 In Article 37 (discharge or committal for trial), in paragraph...
- 69 In Article 168 (directions), omit "on the Lord Chancellor".
- 70 Pensions Appeal Tribunals (Northern Ireland) Rules 1981 (S.R. 1981/231)
- 71 In rule 2 (interpretation), in paragraph (1)—
- 72 In rule 2A (functions of the President), in paragraph (2)...
- 73 Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))
- 74 (1) Article 83 (procedure of tribunal) is amended as follows....
- 75 (1) Schedule 3 (Mental Health Review Tribunal for Northern Ireland)...
- 76 In Schedule 6 to the Mental Health (Northern Ireland) Order...
- 77 Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))
- 78 In Article 80A (evidence through live links), in paragraph (6)...
- 79 In Article 81 (evidence through television links), in paragraph (8)...
- 80 Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))
- 81 In Article 359 (insolvency rules), after paragraph (1) insert—
- 82 (1) Article 360 (committee to review insolvency rules) is amended...
- 83 (1) Article 364 (insolvent partnerships) is amended as follows.
- 84 (1) Article 365 (insolvent estates of deceased persons) is amended...
- 85 Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))
- 86 (1) Article 10 (role of the courts with respect to...
- 87 (1) Article 42 (jurisdiction of courts in certain proceedings under...
- 88 Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (N.I. 20))
- 89 Family Law (Northern Ireland) Order 1993 (S.I. 1993/1575 (N.I. 6))
- 90 (1) Article 12 (family proceedings rules) is amended as follows....
- 91 After Article 12 insert— Making of family proceedings rules (1) After making family proceedings rules the Committee must submit...
- 92 (1) In Schedule 2 (Northern Ireland Family Proceedings Rules Committee),...
- 93 Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))
- 94 In Article 4 (reports on child's welfare), in paragraph (2)...
- 95 In Article 60 (representation of child and his interests in...
- 96 In Article 166 (appeals), in paragraph (14) after "Lord Chancellor...
- 97 In Article 169 (evidence given by, or with respect to,...
- 98 In Article 170 (privacy for children involved in certain proceedings),...
- 99 After Article 181 insert— Delegation of functions by Lord Chief...
- 100 In paragraph 6 of Schedule 1 (financial provision for children:...
- 101 (1) Schedule 7 (commencement of proceedings) is amended as follows....
- 102 Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))
- 103 Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. 1997/269)
- 104 Northern Ireland Act 1998 (c. 47)

- 105 In section 90 (effect of certificates), in subsection (2) for...
106 (1) Section 91 (the National Security Certificates Tribunal) is amended...
107 (1) Section 92 (appeals from the Tribunal) is amended as...
108 (1) In Schedule 11 (tribunal established under section 91 of...
109 Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I. 6))
110 (1) Article 34 (jurisdiction of courts and procedure) is amended...
111 (1) Article 39 (appeals) is amended as follows.
112 Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))
113 Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
114 Criminal Evidence (Northern Ireland) Order 1999 (S.I. 1999/2789 (N.I. 8))
115 Justice (Northern Ireland) Act 2002 (c. 26)
116 In section 8 (tribunals for considering removal), in subsection (7)...
117 (1) Section 9 (appointment of lay magistrates) is amended as...
118 In section 10 (transfer of functions of justices of the...
119 In section 12 (role of the Lord Chief Justice), omit...
120 (1) In section 24 (removal of Attorney General), in subsection...
121 In section 43 (appointment and removal of Director of Public...
122 (1) Schedule 1 (listed judicial offices) is amended as follows....
123 (1) Schedule 3 (appointment to listed judicial offices) is amended...
124 (1) Schedule 4 (functions of justices of the peace) is...
125 Omit Schedule 5 (transfer of functions to Lord Chief Justice)...
126 (1) Schedule 6 (office-holders required to take judicial oath) is...
127 In Schedule 12 (minor and consequential amendments), after paragraph 81...
128 (1) Schedule 13 (repeals and revocations) is amended as follows....
129 Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9))
130 Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2004 (S.R. 2004/165)
Part 2 — AMENDMENTS RELATING TO ENACTMENTS REPEALED OR AMENDED OTHERWISE THAN BY THIS ACT
131 Introduction
132 Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))
133 Administration of Estates (Northern Ireland) Order 1979 (S.I. 1979/1575 (N.I. 14))
134 County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 14))

SCHEDULE 6 — Speakership of the House of Lords

- 1 Clerk of the Parliaments Act 1824 (c. 82)
- 2 Parliamentary Papers Act 1840 (c. 9)
- 3 Church of England Assembly (Powers) Act 1919 (c. 76)
- 4 Statutory Instruments Act 1946 (c. 36)
- 5 Laying of Documents Before Parliament (Interpretation) Act 1948 (c. 59)
- 6 Consolidation of Enactments (Procedure) Act 1949 (c. 33)
- 7 Exchequer and Audit Departments Act 1957 (c. 45)
- 8 Ministerial and other Salaries Act 1975 (c. 27)

SCHEDULE 7 — Protected functions of the Lord Chancellor

Status: This is the original version (as it was originally enacted).

- 1 Any function of the Lord Chancellor that relates to the...
- 2 Any function of the Lord Chancellor under this Act.
- 3 Any function of the Lord Chancellor under another enactment, if...
- 4 Any function of the Lord Chancellor under these provisions— A:...

SCHEDULE 8 — Supreme Court selection commissions

Part 1 — MEMBERSHIP

- 1 General rules
 - 2 Special rules where President's or Deputy President's place unfilled
 - 3 (1) This paragraph applies if both of the following conditions...
 - 4 (1) The home jurisdiction of a judge of the Supreme...
 - 5 Disqualification
 - 6 Non-judicial members of selection commissions
 - 7 Chairing of selection commissions
 - 8 Interpretation
 - 9 (1) In this Part of this Schedule— “Judicial Appointments Board...
- ##### Part 2 — DISSOLUTION
- 10 A selection commission is dissolved if the Lord Chancellor notifies...
 - 11 (1) A selection commission is dissolved if—
 - 12 (1) A selection commission is dissolved if—
- ##### Part 3 — DUTY TO CONVENE COMMISSION: SPECIAL RULES
- 13 Selection commission for the office of Deputy President
 - 14 Selection commission for the office of judge

SCHEDULE 9 — Amendments relating to jurisdiction of the Supreme Court

Part 1 — JURISDICTION TRANSFERRED FROM THE HOUSE OF LORDS

- 1 British Law Ascertainment Act 1859 (c. 63)
- 2 Nautical Assessors (Scotland) Act 1894 (c. 40)
- 3 Administration of Justice (Appeals) Act 1934 (c. 40)
- 4 National Health Service (Amendment) Act 1949 (c. 93)
- 5 Miners' Welfare Act 1952 (c. 23)
- 6 Army Act 1955 (c. 18)
- 7 Air Force Act 1955 (c. 19)
- 8 Administration of Justice Act 1956 (c. 46)
- 9 Geneva Conventions Act 1957 (c. 52)
- 10 Naval Discipline Act 1957 (c. 53)
- 11 Agricultural Marketing Act 1958 (c. 47)
- 12 Caravan Sites and Control of Development Act 1960 (c. 62)
- 13 Administration of Justice Act 1960 (c. 65)
- 14 Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)
- 15 Commonwealth Secretariat Act 1966 (c. 10)
- 16 Criminal Appeal Act 1968 (c. 19)
- 17 Courts-Martial (Appeals) Act 1968 (c. 20)
- 18 Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)
- 19 Foreign Compensation Act 1969 (c. 20)
- 20 Administration of Justice Act 1969 (c. 58)
- 21 Taxes Management Act 1970 (c. 9)
- 22 Administration of Justice Act 1970 (c. 31)
- 23 Criminal Justice Act 1972 (c. 71)
- 24 Prosecution of Offences (Northern Ireland) Order 1972 (S.I. 1972/538 (N.I. 1))
- 25 Administration of Justice Act 1973 (c. 15)

- 26 Litigants in Person (Costs and Expenses) Act 1975 (c. 47)
- 27 Industry Act 1975 (c. 68)
- 28 Race Relations Act 1976 (c. 74)
- 29 Aircraft and Shipbuilding Industries Act 1977 (c. 3)
- 30 Judicature (Northern Ireland) Act 1978 (c. 23)
- 31 Estate Agents Act 1979 (c. 38)
- 32 Solicitors (Scotland) Act 1980 (c. 46)
- 33 Criminal Appeal (Northern Ireland) Act 1980 (c. 47)
- 34 Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)
- 35 Contempt of Court Act 1981 (c. 49)
- 36 Supreme Court Act 1981 (c. 54)
- 37 Wildlife and Countryside Act 1981 (c. 69)
- 38 Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))
- 39 Civil Jurisdiction and Judgments Act 1982 (c. 27)
- 40 Mental Health (Scotland) Act 1984 (c. 36)
- 41 Prosecution of Offences Act 1985 (c. 23)
- 42 Transport Act 1985 (c. 67)
- 43 Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73)
- 44 Insolvency Act 1986 (c. 45)
- 45 Legal Aid (Scotland) Act 1986 (c. 47)
- 46 Criminal Justice Act 1987 (c. 38)
- 47 Income and Corporation Taxes Act 1988 (c. 1)
- 48 Criminal Justice Act 1988 (c. 33)
- 49 Court of Session Act 1988 (c. 36)
- 50 Road Traffic Offenders Act 1988 (c. 53)
- 51 Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))
- 52 Extradition Act 1989 (c. 33)
- 53 New Roads and Street Works Act 1991 (c. 22)
- 54 Child Support Act 1991 (c. 48)
- 55 Water Resources Act 1991 (c. 57)
- 56 Land Drainage Act 1991 (c. 59)
- 57 Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))
- 58 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 59 Tribunals and Inquiries Act 1992 (c. 53)
- 60 Arbitration Act 1996 (c. 23)
- 61 Criminal Procedure and Investigations Act 1996 (c. 25)
- 62 Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9))
- 63 Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10))
- 64 Social Security Act 1998 (c. 14)
- 65 Competition Act 1998 (c. 41)
- 66 Human Rights Act 1998 (c. 42)
- 67 Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
- 68 Access to Justice Act 1999 (c. 22)
- 69 Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)
- 70 Financial Services and Markets Act 2000 (c. 8)
- 71 Terrorism Act 2000 (c. 11)
- 72 Child Support, Pensions and Social Security Act 2000 (c. 19)
- 73 Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11)

Status: This is the original version (as it was originally enacted).

- 74 Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))
- 75 International Criminal Court Act 2001 (c. 17)
- 76 Armed Forces Act 2001 (c. 19)
- 77 Proceeds of Crime Act 2002 (c. 29)
- 78 Licensing Act 2003 (c. 17)
- 79 Crime (International Co-operation) Act 2003 (c. 32)
- 80 Courts Act 2003 (c. 39)
- 81 Extradition Act 2003 (c. 41)
- 82 Criminal Justice Act 2003 (c. 44)
- 83 Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)
- 84 Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))
- Part 2 — DEVOLUTION JURISDICTION
- 85 Legal Aid (Scotland) Act 1986 (c. 47)
- 86 Criminal Procedure (Scotland) Act 1995 (c. 46)
- 87 Government of Wales Act 1998 (c. 38)
- 88 In Part 1 of Schedule 8 (devolution issues: preliminary) omit...
- 89 (1) Part 2 of Schedule 8 (proceedings in England and...
- 90 (1) Part 3 of Schedule 8 (proceedings in Scotland on...
- 91 (1) Part 4 of Schedule 8 (proceedings in Northern Ireland...
- 92 (1) Part 5 of Schedule 8 (devolution issues: general) is...
- 93 Scotland Act 1998 (c. 46)
- 94 In section 15 (disqualification from membership of the Parliament) in...
- 95 In section 32 (submission of Bills for Royal Assent)—
- 96 (1) In the sidenote to section 33 (scrutiny of Bills...
- 97 In section 34 (ECJ references), in subsection (1)(b) for “Judicial...
- 98 In section 35 (power of Secretary of State to intervene...
- 99 In section 36 (stages of Bills), in subsection (4) for...
- 100 In section 95 (appointment and removal of judges)—
- 101 Omit section 103 (proceedings before the Judicial Committee).
- 102 In section 127 (index of defined expressions) omit the entry...
- 103 (1) Part 2 of Schedule 6 (proceedings in Scotland on...
- 104 (1) Part 3 of Schedule 6 (proceedings in England and...
- 105 (1) Part 4 of Schedule 6 (proceedings in Northern Ireland...
- 106 (1) Part 5 of Schedule 6 (devolution issues: general) is...
- 107 In Schedule 7 (procedure for subordinate legislation), in the table...
- 108 Northern Ireland Act 1998 (c. 47)
- 109 (1) In the sidenote to section 11 (scrutiny of Bills...
- 110 In section 12 (reconsideration where reference made to ECJ), in...
- 111 In section 13 (stages of Bills), in subsection (5)(a) for...
- 112 In section 14 (submission by Secretary of State of Bills...
- 113 Omit section 82 (proceedings before the Judicial Committee).
- 114 In section 98 (interpretation), in subsection (1) omit the entry...
- 115 (1) Part 2 of Schedule 10 (proceedings in Northern Ireland...
- 116 (1) Part 3 of Schedule 10 (proceedings in England and...
- 117 (1) Part 4 of Schedule 10 (proceedings in Scotland on...
- 118 (1) Part 5 of Schedule 10 (devolution issues: general) is...
- 119 In paragraph 40 (application of paragraph 39 in particular circumstances),...

SCHEDULE 10 — Proceedings under jurisdiction transferred to Supreme Court

1 Interpretation

- 2 In this Schedule “transferred proceedings” means proceedings which
were begun...
- 3 Proceedings
- 4 (1) Anything done in accordance with the rules of the...
- 5 (1) Any act, judgment or order of the original court...
- 6 Fees
- 7 Funds
- 8 (1) The transfer of any investments and money under paragraph...
- 9 (1) This paragraph applies to a liability of the House...
- 10 In paragraphs 7 and 9 “accounting officer” means the person...

SCHEDULE 11 — Renaming of the Supreme Courts of England and Wales and
Northern Ireland

Part 1 — CITATION OF ACTS AND RULES

- 1 (1) The Supreme Court Act 1981 (c. 54) may be...
- 2 (1) The Supreme Court (Offices) Act 1997 (c. 69) may...
- 3 (1) The Rules of the Supreme Court (Northern Ireland) (Revision)...

Part 2 — MISCELLANEOUS AMENDMENTS: SUPREME COURT OF ENGLAND
AND WALES

- 4 (1) In each of the enactments listed in sub-paragraph (3)...

Part 3 — MISCELLANEOUS AMENDMENTS: SUPREME COURT OF
JUDICATURE OF NORTHERN IRELAND

- 5 Solicitor of the Supreme Court
- 6 Miscellaneous

Part 4 — SPECIFIC AMENDMENTS

- 7 Chelsea and Kilmainham Hospitals Act 1826 (c. 16)
- 8 Ecclesiastical Houses of Residence Act 1842 (c. 26)
- 9 Lands Clauses Consolidation Act 1845 (c. 18)
- 10 Landed Estates Court (Ireland) Act 1858 (c. 72)
- 11 Defence Act 1860 (c. 112)
- 12 The Great Seal (Offices) Act 1874 (c. 81)
- 13 Commons Act 1876 (c. 56)
- 14 Public Offices Fees Act 1879 (c. 58)
- 15 Commissioners for Oaths Act 1889 (c. 10)
- 16 Notice of Accidents Act 1894 (c. 28)
- 17 London Building Acts (Amendment) Act 1939 (c. xcvii)
- 18 Registered Designs Act 1949 (c. 88)
- 19 Maintenance Orders Act 1950 (c. 37)
- 20 Northern Ireland Act 1962 (c. 30)
- 21 Solicitors Act 1974 (c. 47)
- 22 Litigants in Person (Costs and Expenses) Act 1975 (c. 47)
- 23 Patents Act 1977 (c. 37)
- 24 Interpretation Act 1978 (c. 30)
- 25 Judicial Pensions Act 1981 (c. 20)
- 26 Supreme Court Act 1981 (c. 54)
- 27 Administration of Justice Act 1982 (c. 53)
- 28 Representation of the People Act 1983 (c. 2)
- 29 Income and Corporation Taxes Act 1988 (c. 1)
- 30 Taxation of Chargeable Gains Act 1992 (c. 12)
- 31 Trade Marks Act 1994 (c. 26)
- 32 Supreme Court (Offices) Act 1997 (c. 69)
- 33 Northern Ireland Act 1998 (c. 47)
- 34 Freedom of Information Act 2000 (c. 36)

35 Criminal Justice and Court Services Act 2000 (c. 43)

SCHEDULE 12 — The Judicial Appointments Commission

Part 1 — THE COMMISSIONERS

- 1 The Commissioners
- 2 (1) The chairman must be a lay member.
- 3 A person must not be appointed as a Commissioner if...
- 4 (1) A judicial member is a person who holds an...
- 5 (1) The Lord Chancellor may by order amend any of...
- 6 (1) In this Schedule—“judicial member” has the meaning given...
- 7 Selection of commissioners
- 8 Panels
- 9 The Lord Chancellor may pay to a member of a...
- 10 Selection by a panel
- 11 Vice-chairman
- 12 Term of office etc. of Commissioners
- 13 A person— (a) may not be appointed as a Commissioner...
- 14 (1) A Commissioner— (a) in the case of the chairman,...
- 15 (1) A Commissioner may at any time—
- 16 Salary, allowances and expenses
- 17 Code of Conduct

Part 2 — THE COMMISSION

- 18 Status of the Commission and its property
- 19 Powers
- 20 Committees
- 21 Procedure and proceedings
- 22 Staff
- 23 Arrangements for assistance
- 24 Appointments and arrangements by the Lord Chancellor
- 25 (1) The Lord Chancellor may— (a) appoint persons to serve...
- 26 Power to transfer staff to employment of the Commission
- 27 Delegation
- 28 Delegation and contracting out of superannuation functions
- 29 Inspection of documents
- 30 Financial provisions and directions
- 31 Accounts and audit
- 32 Reports
- 33 Documentary evidence
- 34 Any contract or instrument which, if entered into or executed...
- 35 A document purporting to be— (a) duly executed under the...
- 36 General

SCHEDULE 13 — The Judicial Appointments and Conduct Ombudsman

- 1 The Ombudsman
- 2 (1) In this Schedule “practising” is to be read in...
- 3 Term of office etc. of Ombudsman
- 4 (1) A person— (a) may not be appointed as the...
- 5 (1) The Ombudsman may at any time—
- 6 Salary, allowances and expenses
- 7 Acting Ombudsman
- 8 Status of the Ombudsman
- 9 Powers of the Ombudsman
- 10 Arrangements for assistance

- 11 Arrangements by the Lord Chancellor
- 12 Delegation of functions
- 13 Financial provisions and directions
- 14 Code of conduct
- 15 Reports
- 16 Documentary evidence
- 17 General

SCHEDULE 14 — The Judicial Appointments Commission: Relevant Offices and Enactments

- Part 1 — APPOINTMENTS BY HER MAJESTY
- Part 2 — APPOINTMENTS BY THE LORD CHANCELLOR: OFFICES TO WHICH PARAGRAPH 2(2)(D) OF SCHEDULE 12 DOES NOT APPLY
- Part 3 — APPOINTMENTS BY THE LORD CHANCELLOR: OFFICES TO WHICH PARAGRAPH 2(2)(D) OF SCHEDULE 12 APPLIES

SCHEDULE 15 — Northern Ireland Judicial Appointments Ombudsman

SCHEDULE 16 — Judicial Committee of the Privy Council

- 1 Judicial Committee Act 1833 (c. 41)
- 2 For section 1 substitute— The Judicial Committee of the Privy...
- 3 For section 18 substitute— Appointment of registrar (1) Her Majesty may, under her sign manual, appoint any...
- 4 In section 19 (attendance of witnesses etc) for “the president...
- 5 Court of Chancery Act 1851 (c. 83)
- 6 Privy Council Registrar Act 1853 (c. 85)
- 7 Oxford University Act 1862 (c. 26)
- 8 Public Schools Act 1868 (c. 118)
- 9 Judicial Committee Act 1881 (c. 3)
- 10 Judicial Committee Act 1915 (c. 92)

SCHEDULE 17 — Minor and consequential amendments

Part 1 — THE LORD CHANCELLOR

- 1 Fines Act 1833 (c. 99)
 - 2 Promissory Oaths Act 1868 (c. 72)
 - 3 Universities of Oxford and Cambridge Act 1877 (c. 48)
 - 4 Sheriffs Act 1887 (c. 55)
 - 5 Administration of Justice Act 1964 (c. 42)
 - 6 Parliamentary Commissioner Act 1967 (c. 13)
 - 7 Patronage (Benefices) Measure 1986 (1986 No. 3)
 - 8 Priests (Ordination of Women) Measure 1993 (1993 No. 2)
- Part 2 — AMENDMENTS RELATING TO PART 3
- 9 Appellate Jurisdiction Act 1876 (c. 59)
 - 10 Jurisdiction in Rating Act 1877 (c. 11)
 - 11 Appellate Jurisdiction Act 1887 (c. 70)
 - 12 Railway and Canal Traffic Act 1888 (c. 25)
 - 13 Supreme Court of Judicature Act 1891 (c. 53)
 - 14 Appellate Jurisdiction Act 1947 (c. 11)
 - 15 Life Peerages Act 1958 (c. 21)
 - 16 Ecclesiastical Jurisdiction Measure 1963 (1963 No. 1)
 - 17 Law Commissions Act 1965 (c. 22)
 - 18 Administration of Justice Act 1968 (c. 5)
 - 19 Administration of Justice Act 1973 (c. 15)

Status: This is the original version (as it was originally enacted).

- 20 Juries Act 1974 (c. 23)
- 21 Judicature (Northern Ireland) Act 1978 (c. 23)
- 22 Supreme Court Act 1981 (c. 54)
- 23 Civil Jurisdiction and Judgments Act 1982 (c. 27)
- 24 Courts and Legal Services Act 1990 (c. 41)
- 25 Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (1991 No. 3)
- 26 Justices of the Peace Act 1997 (c. 25)
- 27 Police Act 1997 (c. 50)
- 28 Special Immigration Appeals Commission Act 1997 (c. 68)
- 29 Terrorism Act 2000 (c. 11)
- 30 Regulation of Investigatory Powers Act 2000 (c. 23)
- 31 Anti-terrorism, Crime and Security Act 2001 (c. 24)
- 32 European Parliamentary Elections Act 2002 (c. 24)
- 33 Justice (Northern Ireland) Act 2002 (c. 26)
- 34 Nationality, Immigration and Asylum Act 2002 (c. 41)
- 35 Clergy Discipline Measure 2003 (2003 No. 3)
- Part 3 — NORTHERN IRELAND
- 36 Judicature (Northern Ireland) Act 1978 (c. 23)
- 37 Justice (Northern Ireland) Act 2002 (c. 26)
- 38 In section 6, for the words from the beginning to...
- 39 In Schedule 13 (repeals and revocations) insert in the appropriate...

SCHEDULE 18 — Repeals and revocations

Part 1 — POWERS TO MAKE RULES

Part 2 — JUDICIARY-RELATED FUNCTIONS AND ORGANISATION OF THE COURTS

Part 3 — FUNCTIONS UNDER LEGISLATION RELATING TO NORTHERN IRELAND

Part 4 — THE LORD CHANCELLOR: MINOR AND CONSEQUENTIAL

Part 5 — SUPREME COURT

Part 6 — JUDICIAL COMMITTEE OF THE PRIVY COUNCIL