
STATUTORY INSTRUMENTS

2004 No. 1104 (C. 48)

**SUPREME COURT OF ENGLAND AND WALES
SUPREME COURT OF JUDICATURE
OF NORTHERN IRELAND**

The Courts Act 2003 (Commencement No. 5) Order 2004

Made - - - - *4th April 2004*

The Lord Chancellor, in exercise of the powers conferred upon him by section 110 of the Courts Act 2003⁽¹⁾ makes the following Order:

Citation and interpretation

1. This Order may be cited as the Courts Act 2003 (Commencement No. 5) Order 2004.
2. In this Order a reference to a section or Schedule by number alone means, unless the context otherwise requires, the section or Schedule so numbered in the Courts Act 2003.

Commencement of provisions of the Courts Act 2003

3. The following provisions of the Courts Act 2003 come into force on 1st May 2004—
 - (a) section 86 (Alteration of place fixed for Crown Court trial);
 - (b) section 87 (Appeals to Court of Appeal: procedural directions);
 - (c) section 97 (Collection of fines and discharge of fines by unpaid work), in so far as it relates to the provision referred to in sub-paragraph (d);
 - (d) in paragraph 1(2) of Schedule 6 (Discharge of fines by unpaid work), the entries relating to “the prescribed hourly sum” and “regulations”;
 - (e) section 103 (Official Solicitor of Northern Ireland);
 - (f) section 104 (Alteration of place fixed for Crown Court trial: Northern Ireland);
 - (g) section 106 (Fees: Northern Ireland);
 - (h) in Schedule 10 (Repeals), the entries relating to—
 - (i) sections 48(4), 70(2), 73(1), (2) and Schedule 3 of the Judicature (Northern Ireland) Act 1978⁽²⁾;

(1) 2003 c. 39.
(2) 1978 c. 23.

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- (ii) section 76(4) of the Supreme Court Act 1981⁽³⁾;
- (iii) Schedules 1 and 5 to the Judicial Pensions and Retirement Act 1993⁽⁴⁾;
- (iv) section 18(9) of the Justice (Northern Ireland) Act 2002⁽⁵⁾; and
- (i) section 109(3) to the extent necessary for those repeals.

Signed by authority of the Lord Chancellor

4th April 2004

Christopher Leslie
Parliamentary Under Secretary
Department for Constitutional Affairs

⁽³⁾ 1981 c. 54.
⁽⁴⁾ 1993 c. 8.
⁽⁵⁾ 2002 c. 26.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth Commencement Order made under the Courts Act 2003 and brings into force on 1st May 2004 various provisions and repeals relating to—

PART 8 (MISCELLANEOUS)

Alteration of place fixed for Crown Court trial (section 86); Appeals to Court of Appeal: procedural directions (section 87); Discharge of fines by unpaid work: regulations to prescribe the hourly sum (section 97 and paragraph 1(2) of Schedule 6) Official Solicitor: Northern Ireland (section 103); Alteration of place fixed for Crown Court trial: Northern Ireland (section 104); Fees: Northern Ireland (section 106).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Courts Act 2003 have been, or are to be, brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
section 4	1.6.04	2004/798
section 62	26.1.04	2003/3345
section 63	26.1.04	2003/3345
section 64	26.1.04	2003/3345
section 66 (partially)	26.1.04	2003/3345
section 67	26.1.04	2003/3345
section 68	26.1.04	2003/3345
section 70	26.1.04	2003/3345
section 71	26.1.04	2003/3345
section 74	26.1.04	2003/3345
section 77	26.1.04	2003/3345
section 78	26.1.04	2003/3345
section 81	26.1.04	2003/3345
section 83	26.1.04	2003/3345
section 84	26.1.04	2003/3345
section 93	1.2.04	2004/174
section 95	5.4.04	2004/174
section 96	5.4.04	2004/174

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<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
section 97 (partially)	23.2.04	2004/174
(partially)	29.3.04	2004/174
(partially)	5.4.04	2004/174
section 98 (partially)	26.1.04	2003/3345
section 99	15.3.04	2004/401
section 102	26.1.04	2003/3345
Schedule 1	1.6.04	2004/798
Schedule 5 (partially)	23.2.04	2004/174
(partially)	29.3.04	2004/174
(remainder)	5.4.04	2004/174
Schedule 7	15.3.04	2004/401
Schedule 8 (and section 109(1) insofar as it relates to the paragraphs specified below) paragraphs 288 (partially) and 289	1.2.04	2004/174
paragraphs 5, 9, 61 (partially), 62, 63	15.3.04	2004/401
(partially), 189, 264, 274, 275 and 295—		
298		
Schedule 9 (and section 109(2) insofar as it relates to the paragraph specified below)	23.2.04	2004/174
paragraph 15 (partially)	29.3.04	2004/174
paragraph 15 (partially)	5.4.04	2004/174
paragraph 15 (remainder)		
Schedule 10 (and section 109(3)) (partially)	26.1.04	2003/3345
(partially)	15.3.04	2004/401