

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1965, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Sections 17 & 18.

AMENDMENTS OF ENACTMENTS FOR SECURING CONFORMITY WITH PART I OF THIS ACT

Modifications etc. (not altering text)

- C1** The text of Sch. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<i>Enactment</i>	<i>Amendment</i>
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F2	F2
The Chelsea and Kilmainham Hospitals Act 1826 (7 Geo. 4. c. 16).	<p>In section 44, for the words “into the Bank of England” there shall be substituted the words “into the Supreme Court”.</p> <p>In section 46, for the words from “into the Bank of England” to “Middlesex” there shall be substituted the words “into the Supreme Court”, and for the words from “and in the meantime” (where first occurring) to “bank annuities” (where last occurring) there shall be substituted the words “and if, before the said money is so applied, it is dealt with under section 6 of the Administration of Justice Act 1965, the annual proceeds thereof”.</p> <p>In section 47, for the words from “into the bank” to “aforesaid” there shall be substituted the words “into the Supreme Court”.</p> <p>In section 49, for the words from “into the Bank” to “Chancery” there shall be substituted the words “into the Supreme Court”, and for the words “bank annuities” (wherever occurring) there shall be substituted the words “securities”.</p> <p>In section 50, for the words “said Court of Chancery” there shall be substituted the words “Supreme Court”.</p>

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<p>The Clergy Residence Act 1826 (7 Geo. 4. c. 66).</p>	<p>In section 51, for the words “the Bank of England” there shall be substituted the words “the Supreme Court”.</p>
<p>[^{F3}The Court Funds Act 1829 (10 Geo. 4. c. 13)]</p>	<p>In section 3, for the words from “into the Bank of England” to “or lands” where next occurring, there shall be substituted the words “into the Supreme Court”, for the words “the said Court of Chancery of England or Ireland” there shall be substituted the words “the court”, and for the words from “and in the meantime” to “Ireland, and” there shall be substituted the words “and if, before it is so applied or laid out, it is dealt with under section 6 of the Administration of Justice Act 1965”.</p>
<p>The Ecclesiastical Houses of Residence Act 1842 (5 & 6 Vict. c. 26).</p>	<p>[^{F3}After the word “Exchequer” (where first occurring) there shall be inserted the words “or to the Supreme Court”, . . . ^{F4}]</p>
<p>The Defence Act 1842 (5 & 6 Vict. c. 94).</p>	<p>In section 12, for the words from “into the Bank of England” to “enfranchised” (where next occurring) there shall be substituted the words “into the Supreme Court”, for the words from “and in the meantime” (where first occurring) to “aforesaid” there shall be substituted the words “and if, before it is so applied or so laid out and invested, it is dealt with under section 6 of the Administration of Justice Act 1965”, . . .</p> <p>^{F4}</p> <p>Section 26 shall, in its application to Her Majesty’s High Court of Justice in England and Her Majesty’s High Court of Justice in Northern Ireland, have effect with omission of the words “or for placing out such part thereof as shall be principal in the public funds, or upon government or real securities”.</p> <p>Section 30 shall, as regards money paid into the Supreme Court, have effect with the substitution, for the words “any bank annuities”, of the words “any investments”, for the words “any such bank annuities”, of the words “any such investments or money” and, for the words “the bank annuities to be purchased with such money, and also the capital of such bank annuities”, of the words “the money or the investments to be purchased therewith, and also the investments themselves”.</p>

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The Lands Clauses Consolidation Act 1845
(8 & 9 Vict. c. 18).

Section 69 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in England or Wales, have effect with the substitution, for the words from “be paid into the Bank” to “the said courts” of the words “be paid into the Supreme Court”.

Section 70 shall, in the case of money paid into the Supreme Court, have effect with the substitution, for the words from “and until the money” to “annual proceeds thereof paid”, of the words “and if, before it is so applied, it is dealt with under section 6 of the Administration of Justice Act 1965, the annual proceeds thereof shall be paid”.

Section 71 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, or for damage to, lands in England or Wales, have effect with the substitution, for the words “be paid into the Bank”, of the words “be paid into the Supreme Court” and, for the words “money paid into the Bank”, of the words “money paid into the Supreme Court”.

Section 73 shall, in the case of money payable in respect of the taking, using or interfering with lands in England or Wales, have effect with the substitution, for the words “be paid into the Bank”, of the words “be paid into the Supreme Court” and, for the words “so paid into the Bank”, of the words “paid into the Supreme Court”.

In section 74, after the word “into” there shall be inserted the words “the Supreme Court or”.

In section 75, before the word “deposit” (where it first occurs) there shall be inserted the words “payment into court or”, before the word “deposit” (where it secondly occurs) there shall be inserted the words “payment or”, and before the word “deposited” there shall be inserted the words “paid or”.

Section 76 shall, in the case of, or of an interest in, lands in England or Wales that have, or has, been purchased or taken, have effect with the substitution, for the words from “to deposit the purchase money” onwards, of the words “to pay into the Supreme Court the purchase money or

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compensation payable in respect of such lands".

In section 77, for the words "such deposit" (wherever they occur) there shall be substituted the words "such payment or deposit", and for the word "deposited" there shall be substituted the words "paid or deposited".

Section 78 shall, in the case of purchase money or compensation payable in respect of, or of an interest in, lands in England or Wales, have effect as if, after the word "so" (in both places where it occurs), there were inserted the words "paid or", and as if, for the words from "order such money" to "thereof" (where it last occurs), there were substituted the words "order distribution of the money according to the respective estates, titles or interests of the parties making claim to such money or lands, or any part thereof, and if, before the money is distributed, it is dealt with under section 6 of the Administration of Justice Act 1965 payment likewise of the dividends thereof".

In section 79, for the words "the money so deposited, and to the dividends or interest of the annuities or securities purchased therewith" there shall be substituted the words "the money so paid or deposited, and to the interest or dividends of it or of the securities purchased therewith".

In section 80, after the word "monies" (where it first occurs) there shall be inserted the words "paid into the Supreme Court or", after the word "so" there shall be inserted the words "paid or"; . . .

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and for the words from "and interest" to "or of the" there shall be substituted the words "of the monies, and for the payment out of court of the principal thereof or of any".

Section 84 shall, in the case of lands in England or Wales, have effect with the substitution, for the words "deposited in the Bank", of the words "paid into the Supreme Court".

Section 85 shall, in the case of lands in England or Wales have effect as if, for the words "to deposit in the Bank", the words "for deposit in the Bank", the words

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“deposited in the Bank” and the words “such deposit”, there were respectively substituted the words “to pay into the Supreme Court”, the words “for payment into the Supreme Court”, the words “paid into the Supreme Court” and the words “such payment”.

The Act shall, in its application to England and Wales, have effect with the substitution for sections 86, 87 and 88 of the following section:—

“**86** Money paid under section 85 of this Act into the Supreme Court shall remain there by way of security to the parties whose lands shall so have been entered upon for the performance of the condition of the bond to be given by the promoters of the undertaking, as hereinbefore mentioned, and, if dealt with under section 6 of the Administration of Justice Act 1965 shall be accumulated; and upon the condition of such bond being fully performed the High Court may, on the application of the promoters, order it, or the proceeds of the securities in which it has been invested, together with the accumulation thereof, to be paid to the promoters of the undertaking, or if such condition shall not be fully performed it shall be lawful for the said Court to order the same to be applied, in such manner as it shall think fit, for the benefit of the parties for whose security the same shall have been paid.”

Section 99 shall, in the case of lands in England or Wales, have effect with the substitution, for the words “and upon payment or deposit in the Bank of the compensation so determined”, of the words “and upon payment of the compensation so determined either to the persons entitled thereto or into the Supreme Court”.

Section 100 shall, in the case of lands in England or Wales, have effect with the substitution, for the words “on deposit thereof in the Bank”, of the words “on payment thereof into the Supreme Court”, with the substitution, for the words “deposited as aforesaid”, of the words “paid into the Supreme Court as aforesaid”Q,

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and with the substitution, for the words from "by payment" onwards, of the words "by payment, as hereinafter provided, of compensation for the same either to the persons entitled thereto or into the Supreme Court".

Section 107 shall, in the case of lands in England or Wales over which commonable or other rights subsist, have effect with the substitution, for the words "deposit in the Bank in the manner provided in the like case", of the words "payment into the Supreme Court" with the omission of the words "or deposited", and with the substitution, for the words "so deposited", of the words "so paid into the Supreme Court".

Section 109 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words "to deposit in the bank, in the manner provided by this Act in like cases", of the words "to pay into the Supreme Court".

Section 111 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words from "to deposit" to "every such payment or deposit", of the words "to pay into the Supreme Court the amount of such value or compensation; and the making of payment to the mortgagee or into the Supreme Court", and, for the words "by such payment or deposit", of the words "by payment to the mortgagee or into the Supreme Court".

Section 113 shall, in the case of lands in England or Wales subject to a mortgage, have effect with the substitution, for the words from "to pay the amount" to "such payment or deposit", of the words "to pay into the Supreme Court the amount of such value or compensation; and the making of payment to the mortgagee or into the Supreme Court".

Section 117 shall, in the case of lands in England or Wales charged with payments or incumbrances not otherwise provided for in the Act, have effect with the substitution, for the words from "to deposit" to "like cases", of the words "to pay into the Supreme Court the amount of the compensation".

The Inclosure Act 1845 (8 & 9 Vict. c. 118).

In section 138, for the words from "be paid" to "ex parte the commissioners" there shall

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be substituted the words “be paid into the Supreme Court”.

Section 139 shall be omitted.

In section 140, for the words from “be paid” to “his account as aforesaid” there shall be substituted the words “be paid into the Supreme Court”, and for the words from “and the money so paid to such trustees” to the end there shall be substituted the words “and the money so paid to such trustees shall be by them applied in like manner as is hereinbefore directed with respect to money paid into the Supreme Court, but without obtaining or being required to obtain any order of the court touching the application thereof, and the dividends and produce arising from the money before it is so applied shall from time to time be paid to the parties aforesaid”.

The Tithe Act 1846 (9 & 10 Vict. c. 73).

In section 9, for the words “be paid into the Bank of England” to “until the same be applied” there shall be substituted the words “be paid into the Supreme Court in order that it may be applied”, for the words from “and until the money” to “and the dividends thereof paid” there shall be substituted the words “and if, before it is so applied, it is dealt with under section 6 of the Administration of Justice Act 1965, the dividends thereof shall be paid”, and for the words “to be paid for redemption into the Bank of England in the name and with the privity of the said accountant general” there shall be substituted the words “to be paid into the Supreme Court”.

The Queen’s Remembrancer Act 1859 (22 & 23 Vict. c. 21).

In section 8, for the words from “be paid into the Bank of England” to “his name as aforesaid” there shall be substituted the words “be paid into the Supreme Court; and upon the filing there of a certificate of the Accountant General of the Supreme Court of the payment”.

The Tithe Act 1860 (23 & 24 Vict. c. 93).

In section 37, for the words “into the Bank of England in the name of the Accountant General” there shall be substituted the words “into the Supreme Court”.

The Defence Act 1860 (23 & 24 Vict. c. 112).

In sections 21 and 22, for the words “into the Bank of England or Ireland” there shall be substituted the words “into the Supreme Court or into the Bank of Ireland”.

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The Tramways Act 1870 (33 & 34 Vict. c. 78).

The Consolidated Fund (Permanent Charges Redemption) Act 1873 (36 & 37 Vict. c. 57).

Life Assurance Companies (Payment into Court) Act 1896 (59 & 60 Vict. c. 8).

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In section 23, for the words from “Bank of England” to “Court of Chancery” (where first occurring) there shall be substituted the words “Supreme Court”.

Section 12 shall, except in the case of a tramway that will be wholly situate in Scotland, have effect with the substitution, for the references to the payment of a prescribed sum of money into, and the deposit of a security of the prescribed nature in, the prescribed bank, of references respectively to the deposit of such a sum of money with the Accountant General [^{F6}of the Supreme Court] and the deposit of a security of such a nature with him, and shall, in the said excepted case, have effect as if the first-mentioned references included references respectively to the deposit of such a sum of money with him and the deposit of a security of such a nature with him.

In section 64(2), the reference to the investment of money paid by way of deposit shall, in the case of money deposited with the Accountant General [^{F6}of the Supreme Court], be construed as referring to the laying out thereof at interest, the investment thereof by the Accountant General in securities or the transfer thereof to one of the funds established by common investment schemes [^{F7}under section 42 of the Administration of Justice Act 1982].

Section 3 shall, in its application to England and Wales, have effect with the substitution, for the words from “paid into the Court of Chancery” to “1872”, of the words “paid into the Supreme Court” and with the substitution, for the words “the said Court”, of the words “the High Court”.

In section 4, for the words “paid to the Court of Chancery” there shall be substituted the words “paid into court”.

The Act shall, in its application to England and Wales, have effect with the substitution, for references to the High Court, of references to the Supreme Court.

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The Light Railways Act 1896 (59 & 60 Vict. c. 48).

For section 11(k) there shall be substituted the following:—

“(k) in the case of a new company, requiring the company to make a deposit with the Accountant General of the Supreme Court, and providing for the time of making and the application of the deposit and for its being laid out at interest, invested by the Accountant General in securities or transferred to one of the funds established by schemes made under section 1 of the Administration of Justice Act 1965.”

The Deeds of Arrangement Act, 1914 (4 & 5 Geo. 5. c. 47)

In section 16, for the words “paid into court” there shall be substituted the words “paid into the Supreme Court or, if a county court has jurisdiction in the matter, into that court”.

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The Settled Land Act 1925 (15 & 16 Geo. 5. c. 18).

After subsection (1) of section 117, there shall be inserted the following subsection:—

“(1A) Any reference in this Act to money, securities or proceeds of sale being paid or transferred into court shall be construed as referring to the money, securities or proceeds being paid or transferred into the Supreme Court or any other court that has jurisdiction, and any reference in this Act to the court, in a context referring to the investment or application of money, securities or proceeds of sale paid or transferred into court, shall be construed, in the case of money, securities or proceeds paid or transferred into the Supreme Court, as referring to the High Court, and, in the case of money, securities or proceeds paid or transferred into another court, as referring to that other court.”

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The Trustee Act 1925 (15 & 16 Geo. 5. c. 19).

Paragraph (8) of section 68 and, in paragraph (13) of that section, the words from “and so far as relates” to “Supreme Court” shall be omitted, and at the end of that section there shall be inserted the following subsection:—

“(2) Any reference in this Act to paying money or securities into court shall be construed as referring to paying the money or transferring or depositing the securities into or in the Supreme Court or into or in any other court that has jurisdiction, and any reference in this Act to payment of money or securities into court shall be construed—

- (a) with reference to an order of the High Court, as referring to payment of the money or transfer or deposit of the securities into or in the Supreme Court; and
- (b) with reference to an order of any other court, as referring to payment of the money or transfer or deposit of the securities into or in that court.”

The Law of Property Act 1925 (15 & 16 Geo. 5. c. 20).

After subsection (1) of section 205 there shall be inserted the following subsection:—

“(1A) Any reference in this Act to money being paid into court shall be construed as referring to the money being paid into the Supreme Court or any other court that has jurisdiction, and any reference in this Act to the court, in a context referring to the investment or application of money paid into court, shall be construed, in the case of money paid into the Supreme Court, as referring to the High Court, and in the case of money paid into another court, as referring to that other court.”

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The Insurance Companies Act 1958 (6 & 7 Eliz. 2. c. 72).

For section 19(1) there shall be substituted the following:—

“(1) The interest or dividends accruing due on a sum deposited with the Accountant General of the Supreme Court by any company under section 2 of the Assurance Companies Act 1909 or paragraph 1 of Schedule 2 to this Act, on securities in which a sum so deposited is for the time being invested or on securities so deposited shall be paid to the company.”

For section 20(1) there shall be substituted the following:—

“(1) Regulations may be made with respect to applications for warrants, to the payment of deposits, the laying out thereof at interest or the investment thereof by the Accountant General in securities or the transfer thereof to one of the funds established by schemes made under section 1 of the Administration of Justice Act 1965, and other dealing therewith, to the deposit of securities in lieu of money, to the payment of interest or dividends from time to time accruing due on deposits or any securities in which they are for the time being invested, or on any securities deposited in lieu of money, and to the withdrawal and transfer of deposits.”

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Textual Amendments

- F1** Entry relating to Crown Debts Act 1801 repealed by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), s. 54, **Sch. 14**
- F2** Entry repealed by [Endowments and Glebe Measure 1976 \(No. 4\)](#), **Sch. 8**.
- F3** Entry relating to Court Funds Act 1829 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), **Sch. 7**
- F4** Words repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), s. 1, **Sch. Pt. XI**
- F5** Entry repealed by [Post Office Act 1969 \(c. 48\)](#), **Sch. 8 Pt. I**
- F6** Words inserted by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), **ss. 46(2)(d)(i)**
- F7** Words added by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), **ss. 46(2)(d)(ii)**
- F8** Entry repealed by [Companies Act 1967 \(c. 81\)](#), **Sch. 8 Pt. IX**
- F9** Entry repealed by [Mines \(Working Facilities and Support\) Act 1966 \(c. 4\)](#), **Sch. 1**
- F10** Entry relating to War Damage Act 1943 repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. XI**
- F11** Entry relating to the Exchange Control Act 1947 repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), **Sch. 16 Pt. XI**
- F12** Entry relating to Prevention of Fraud (Investments) Act 1958 repealed by [Financial Services Act 1986 \(c. 60, SIF 69\)](#), s. 212(3), **Sch. 17 Pt. I**
- F13** Entry relating to Mental Health Act 1959 repealed (E.W.) by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148(3), **Sch. 6**

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