



# Administration of Justice Act 1970

## 1970 CHAPTER 31

### PART I

#### COURTS AND JUDGES

##### *Court of Appeal*

#### **9 Constitution of criminal division and powers of single judge**

- (1) A court of the criminal division of the Court of Appeal shall, for the purpose of exercising any of its jurisdiction, be duly constituted if it consists of an uneven number of judges, not being less than three.
- (2) A court of the said division shall be duly constituted if it consists of two judges, but not for the purpose—
  - (a) of determining an appeal; or
  - (b) of determining an application for leave to appeal to the House of Lords; or
  - (c) of refusing an application for leave to appeal to the criminal division, other than an application which has been refused by a single judge under section 31 of the Criminal Appeal Act 1968.
- (3) In section 45(2) of the said Act of 1968 (which defines "single judge", for the purposes of sections 31 and 44 of the Act, as meaning any judge of the Court of Appeal or of the Queen's Bench Division of the High Court) the words "of the Queen's Bench Division of" shall be omitted.
- (4) In section 83(1) of the Criminal Justice Act 1967 (which enables the Secretary of State to make regulations about legal aid in criminal cases and, by paragraph (b), enables a court's powers in relation to legal aid to be made exercisable by a member or officer of the court) that paragraph shall have effect in relation to the criminal division of the Court of Appeal as if for the reference to a person entitled to sit as a member of the court there were substituted a reference to any judge of the court or of the High Court.