



# Courts Act 1971

## 1971 CHAPTER 23

### PART VI U.K.

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

#### 55 Financial provisions. E+W

- (1) There shall be paid out of money provided by Parliament, or out of the Consolidated Fund, any increase attributable to the provisions of this Act in the sums respectively so payable under any other enactment.
- (2) There shall be paid out of money provided by Parliament any sums payable by any Minister under or by virtue of this Act.
- (3) Any sum payable under this Act to the Lord Chancellor or any other Minister shall be paid into the Consolidated Fund.
- (4) <sup>F1</sup> .....

#### Textual Amendments

**F1** S. 55(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}

#### 56 Minor and consequential amendments, transitional provisions and repeals. E+W

- (1) Schedule 8 to this Act (which contains consequential and other amendments) shall have effect.

*Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, Cross Heading: Supplemental. (See end of Document for details)*

- (2) In the enactments listed in Schedule 9 to this Act (which confer jurisdiction transferred to the Crown Court) for any reference to quarter sessions there shall be substituted a reference to the Crown Court.

This subsection applies to references to quarter sessions however expressed and in particular to any reference to “the next court of quarter sessions”, or to the quarter sessions for any particular area, or to any sessions which, by section 13(14) of the <sup>M1</sup>Interpretation Act 1889, were included in the expression “court of quarter sessions”.

- (3) Schedule 10 to this Act, which contains transitional provisions, shall have effect.
- (4) The enactments specified in Schedule 11 to this Act (which includes certain obsolete or unnecessary enactments) are hereby repealed to the extent specified in the third column of that Schedule, but subject to any proviso at the end of that Schedule.

**Modifications etc. (not altering text)**

**C1** The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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**Marginal Citations**

**M1** 1889 c. 63.

**57 Interpretation of this Act and rules of construction of other Acts. U.K.**

- (1) In this Act, unless the context otherwise requires—
  - the “appointed day” means the commencement of this Act which, as provided by this Act, may be a different date for different purposes,  

F2
  - “sentence”, in relation to an offence, includes any order made by a court when dealing with an offender including—
    - (a) a hospital order under [<sup>F3</sup>Part III of the Mental Health Act 1983], with or without an order restricting discharge, and
    - (b) a recommendation for deportation made when dealing with an offender.
- (2) ..... F4
- (3) Except where the context otherwise requires, in this or any other Act—
  - (a) ..... F5
  - (b) any reference to the courts abolished by this Act shall include a reference to the Lancaster Palatine Court and the Durham Palatine Court (which are abolished on merger with the High Court).
- (4) Except where the context otherwise requires, in any Act passed after this Act the expression “recorder” shall not include the Recorder of London or an honorary recorder of a borough.
- (5) Any power of making orders contained in any provision of this Act shall include power to vary or revoke an order made under that provision.

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- (6) It is hereby declared that any power conferred by this Act on the Lord Chancellor or any other authority to give directions includes a power to vary or rescind any direction so given.
- (7) Any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment, including this Act.

**Textual Amendments**

- F2** Definition of “the Judicature Act 1925” repealed by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)
- F3** Words substituted by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148(1), [Sch. 4 para. 28](#)
- F4** [S. 57\(2\)](#) repealed by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 13](#)
- F5** [S. 57\(3\)\(a\)](#) repealed by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

**58** ..... <sup>F6</sup> **E+W**

**Textual Amendments**

- F6** [S. 58](#) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), s. 42, [Sch. 6 Pt. I](#)

**59** **Short title, commencement and extent.** **U.K.**

- (1) This Act may be cited as the Courts Act 1971.
- (2) <sup>F7</sup> .....
- (3) <sup>F7</sup> .....
- (4) <sup>F7</sup> .....
- (5) The following provisions of this Act, and no others, shall extend to Scotland—
  - (a) <sup>F8</sup> .....
  - (b) ..... <sup>F9</sup>
  - (c) any provision of this Act affecting the operation of the law of Scotland in relation to courts in England and Wales,
  - (d) the provisions of this Act about interpretation and commencement,
  - (e) <sup>F10</sup> .....
- (6) The following provisions of this Act, and no others, shall extend to Northern Ireland—
  - (a) <sup>F11</sup> .....
  - (b) ..... <sup>F12</sup>
  - (c) any provision of this Act affecting the operation of the law of Northern Ireland in relation to courts in England and Wales,
  - (d) the provisions of this Act about interpretation and commencement,
  - (e) Schedule 8 to this Act so far as it amends <sup>F13</sup>... section 30 of the <sup>M2</sup>Petty Sessions (Ireland) Act 1851.

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(7) Schedule 8 to this Act shall extend to the Isle of Man and the Channel Islands so far as it amends section 13 of the <sup>M3</sup>Indictable Offences Act 1848.

#### **Textual Amendments**

- F7** S. 59(2)-(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}
- F8** S. 59(5)(a) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}
- F9** S. 59(5)(b) repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3**
- F10** S. 59(5)(e) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}
- F11** S. 59(6)(a) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}
- F12** S. 59(6)(b) repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3** and Northern Ireland Assembly Disqualification Act 1975 (c. 25), **Sch. 3 Pt. I**
- F13** Words in s. 59(6)(e) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}

#### **Marginal Citations**

- M2** 1851 c. 93.  
**M3** 1848 c. 42.

**Changes to legislation:**

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