

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8 **U.K.**

Section 56.

AMENDMENTS OF OTHER ACTS

PART I **E+W**

GENERAL

Administrative functions of quarter sessions and clerks of the peace

- 1 (1) Any function of courts of quarter sessions, or of committees of quarter sessions, which relates—
- (a) to the deposit of plans or documents, other than those relating to judicial business, or
 - (b) to the keeping of records other than those relating to judicial business, or
 - (c) to any other matter which is not of a judicial nature,
- shall be transferred to the local authorities for the areas to which those matters relate.
- (2) Any function of clerks of the peace, or deputy clerks of the peace, relating to any of the matters mentioned in sub-paragraph (1) above shall be transferred to the clerks of the local authorities for the areas to which those matters relate.
- (3) The preceding provisions of this paragraph are without prejudice to—
- (a) sections 3 and 31 of the ^{M1}Local Government Act 1888 (which transferred certain quarter sessions functions to councils of counties or county boroughs), and
 - (b) section 101 of the ^{M2}Local Government Act 1933 (which transferred certain functions of clerks of the peace to clerks of county councils).
- (4) References in this paragraph to local authorities—
- (a) do not include the Greater London Council,
 - (b) include county councils, but not any authority for a part of a county:
- Provided that as respects matters in the Isles of Scilly the Council of the Isles of Scilly shall be the local authority.
- (5) So far as any matter referred to in this paragraph relates to the Inner Temple or the Middle Temple, references in this paragraph to local authorities, or to clerks of local authorities, are references to the Sub-Treasurer of the Inner Temple or, as the case may be, the Under-Treasurer of the Middle Temple.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

- C1** Certain functions exercisable by virtue of para. 1 of Sch. 8 transferred by [Local Government Act 1985](#) (c. 51, SIF 81:1), s. 16, **Sch. 8 para. 25**

Marginal Citations

- M1** 1888 c. 41.
M2 1933 c. 51.

General rules of construction

- 2 (1) In any enactment or other instrument for any reference or expression in the first column of the Table below there shall be substituted the relevant reference or expression in the second column of the Table.
- (2) Sub-paragraph (1) above applies to Acts or instruments passed or made before the appointed date or later.
- (3) The preceding provisions of this paragraph apply subject to the provisions of this Act, and only except where the context otherwise requires, and in particular do not apply in relation to a sentence imposed, or other thing done, by a court before the appointed day.

TABLE

	<i>Reference</i>	<i>Substituted reference</i>
1	Court of gaol delivery or of oyer and terminer.	The Crown Court.
2	Court of assize, or assizes, where the context does not relate to civil jurisdiction.	The Crown Court.
3	Court of assize, or assizes, where the context relates either to criminal or civil jurisdiction, or relates exclusively to civil jurisdiction.	The Crown Court or the High Court, or as the case may be the High Court and not the Crown Court.
4	Court of quarter sessions, or committee of a court of quarter sessions, except in relation to functions transferred to some authority other than the Crown Court.	The Crown Court.
	This paragraph applies to references to courts of quarter sessions, however expressed, and applies in particular to any	

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

- 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 ^{M3}Interpretation Act 1889, were included in the expression “court of quarter sessions”.
- 5 Judge or commissioner of assize, or judge acting during assizes. The Crown Court or the High Court, or both, according as the reference is to criminal jurisdiction, or civil jurisdiction, or to both.
- 6 Chairman or deputy chairman of quarter sessions. The Crown Court.
- 7 Recorder, or deputy, assistant or temporary recorder, of a borough (but not the Recorder of London). (a) Where the context implies a reference to jurisdiction of the Crown Court, the Crown Court.
(b) Where the context implies a reference to any judicial function not related to a court of quarter sessions (or the Crown Court) such Circuit judge or Recorder as the Lord Chancellor may nominate for the purpose.
(c) In any other case, such local authority, member of a local authority or officer of a local authority as the Lord Chancellor may nominate.
- 8 County court judge. A judge assigned to a county court district, or acting as a judge so assigned.
- 9 The judge or chairman of the court where the court is the Crown Court and comprises justices of the peace and the reference was applicable before the appointed day to county quarter sessions and meant the chairman or acting chairman of the bench. The judge presiding in the Crown Court proceedings.
- 10 Clerk of assize or other officer whose duties related exclusively to the criminal jurisdiction of courts of assize. The appropriate officer of the Crown Court.
- 11 Clerk of the peace or deputy clerk of the peace, except in relation to functions transferred to local authorities or officers of local authorities. The appropriate officer of the Crown Court.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

12	Clerk of the court where the court is the Crown Court.	The appropriate officer of the Crown Court.
13	A borough having a separate court of quarter sessions.	A borough which, immediately before the appointed day, had a separate court of quarter sessions.
14	Any period limited by reference to the next sitting, or the beginning or end of the next sitting, of a court of quarter sessions.	30 days or such other period as the Lord Chancellor may direct.
15	Any right to apply to a court of quarter sessions limited to a specified sitting of the court next after, or in the calendar year of, a 21st or other anniversary of an enclosure award or other event.	A right to apply to the Crown Court within twelve months from the anniversary. The Crown Court may modify or supersede any associated time limit for the giving of notice of the application, or for the confirmation of any decision on the application.
16	Any reference to local funds in the context of a reference to the ^{M4} Costs in Criminal Cases Act 1952.	Central funds, that is to say money provided by Parliament.

Nothing in the Table above shall be taken as affecting any enactment which, as respects any judicial or other office abolished by this Act, provides for—

- (a) the appointment, retirement, or removal of the officer, or
- (b) the tenure of office and oaths to be taken by any such officer, or
- (c) the remuneration, allowances or pensions of any such officer;

and nothing in the Table above shall apply to any reference to records of any court.

Marginal Citations

M3 1889 c. 63.

M4 1952 c. 48.

Amendments of local Acts

- 3 (1) The Lord Chancellor may by order in a statutory instrument provide for such amendments or repeals of provisions of any local Act as appears to him required to give effect to the provisions of this Act.
- (2) An order under this paragraph may, in particular, provide, if in the opinion of the Lord Chancellor there are special circumstances justifying it, for any jurisdiction of a court of quarter sessions under any local Act to be abolished, or transferred otherwise than to the Crown Court.
- (3) An order under this paragraph may contain such transitional and other supplemental and incidental provisions as appear to the Lord Chancellor to be necessary or expedient.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

- (4) A statutory instrument under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

PART II U.K.

MISCELLANEOUS AMENDMENTS

Habeas Corpus 1679

- 4 (1) In section 2 of the ^{M5}Habeas Corpus Act 1679 for the words from “in the Court of Kings Bench” to “case shall require” substitute “in the Crown Court”.
- (2) In section 8 of the said Act for “judge of assize” substitute “judge of the Crown Court”.

Modifications etc. (not altering text)

C2 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M5 1679 c. 2.

Vagrancy Act 1824

- 5 The ^{M6}Vagrancy Act 1824 shall be amended as follows:—
- (a) in section 5, as amended by the ^{M7}Criminal Justice Act 1967, for “quarter sessions” substitute “the Crown Court”,
- (b) in section 10 for the words from “quarter sessions” to “assembled” substitute “the Crown Court, it shall be lawful for the Crown Court”, and
- (c) in section 14 for the words following “appeal to” to the end of the section substitute “the Crown Court”.

Modifications etc. (not altering text)

C3 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M6 1824 c. 83.

M7 1967 c. 80.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Textual Amendments

F1 Sch. 8 para. 6 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), Sch. 1 Pt. I

Parliamentary Documents Deposit Act 1837

- 7 For any reference in the ^{M8}Parliamentary Documents Deposit Act 1837 to the clerk of the peace there shall be substituted a reference to any officer of a local or other authority.

Modifications etc. (not altering text)

C4 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M8 1837 c. 83.

Slave Trade Act 1843

- 8 In section 4 of the ^{M9}Slave Trade Act 1843 (evidence taken abroad) for any reference to the High Court (whether in terms a reference to the Court of Queen’s Bench or otherwise) there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C5 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M9 1843 c. 98

Indictable Offences Act 1848

- 9 In sections 12, 13 and 14 of the ^{M10}Indictable Offences Act 1848 (backing of warrants) for ant reference to justices of oyer and terminer or gaol delivery, except so far as it is a reference to such a justice in Northern Ireland, there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C6 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Marginal Citations

M10 [1848 c. 42](#)

Petty Sessions (Ireland) Act 1851

- 10 In section 30 of the ^{M11}Petty Sessions (Ireland) Act 1851 for the reference to justices of oyer and terminer and general gaol delivery in England there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C7 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M11 [1851 c. 93](#)

- 11 **F2**

Textual Amendments

F2 [Sch. 8 para. 11](#) repealed by [Criminal Justice Act 1972 \(c. 71\)](#), [Sch. 6 Pt. I](#)

Explosives Act 1875

- 12 In section 66(1) of the ^{M12}Explosives Act 1875 for “county court judge” substitute “Circuit judge”.

Modifications etc. (not altering text)

C8 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M12 [1875 c. 22](#)

- 13 **F3**

Textual Amendments

F3 [Sch. 8 para. 13](#) repealed by [Prosecution of Offences Act 1979 \(c. 31\)](#), s. 11(2), [Sch. 2 Pt. II](#)

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Central Criminal Court (Prisons) Act 1881

- 14 In section 2(5) of the ^{M13}Central Criminal Court (Prisons) Act 1881 for the words “at the Central Criminal Court” substitute “before the Crown Court sitting at the Central Criminal Court or elsewhere in Greater London”.

Modifications etc. (not altering text)

C9 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M13 1881 c. 64

Coroners Act 1887

- 15 (1) In section 5 of the ^{M14}Coroners Act 1887—
 - (a) in subsection (2) for the words “at the next” to “is to be” substitute “before the Crown Court”.
 - (b) in subsection (3) for the words following “proper officer” substitute “of the Crown Court”.

(2) ^{F4}

Textual Amendments

F4 Sch. 8 para. 15(2)(3) repealed by Local Government Act 1972 (c. 70), Sch. 30

Modifications etc. (not altering text)

C10 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M14 1887 c. 71

Witnesses (Public Inquiries) Protection Act 1892

- 16 In section 3 of the ^{M15}Witnesses (Public Inquiries) Protection Act 1892 for the words from “quarter sessions” to the end substitute “Crown Court”.

Modifications etc. (not altering text)

C11 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Marginal Citations

M15 1892 c. 64

^{M16}Indictments Act 1915

Marginal Citations

M16 1915 c. 90.

- 17 (1) In section 2 of the ^{M17}Indictments Act 1915 references to the rule committee shall be construed as references to the Crown Court rule committee, but this amendment shall not invalidate any rules previously made.
- (2) A statutory instrument containing rules under section 2 of the said Act of 1915 shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Marginal Citations

M17 1915 c. 90.

18 ^{F5}

Textual Amendments

F5 Sch. 8 para. 18 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

Criminal Justice Act 1925

- 19 In section 33(3) of the ^{M18}Criminal Justice Act 1925 (arraignment of corporation) for the words from the beginning to “case may be” substitute “On arraignment of a corporation, the corporation may”.

Modifications etc. (not altering text)

C12 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M18 1925 c. 86.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

M19 Coroners (Amendment) Act 1926

Marginal Citations

M19 1926 c. 59.

- 20 (1) The provisions of this Act about committal for trial by a magistrates’ court, and the provisions of section 7(2) and section 13 of this Act, shall, subject to the provisions of this paragraph, apply with any necessary modifications to the proceedings mentioned in section 25(2) of the ^{M20}Coroners (Amendment) Act 1926.
- (2) Rules under the said section 25(2) may apply—
- (a) the provisions of this Act mentioned in sub-paragraph (1) above, and any other enactment relating to committal by magistrates’ courts for trial in the Crown Court, and
 - (b) the provisions of the ^{M21}Criminal Procedure (Attendance of Witnesses) Act 1965 relating to witness orders.
- with such modifications as may be necessary for giving effect to provisions of the said section 25.
- (3) Sub-paragraph (1) above shall have effect subject to any rules so made.

Marginal Citations

M20 1926 c. 59.

M21 1965 c. 69.

Petroleum (Consolidation) Act 1928

- 21 In section 14(a) of the ^{M22}Petroleum (Consolidation) Act 1928 for “county court judge” substitute “Circuit judge”.

Modifications etc. (not altering text)

C13 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M22 1928 c. 12.

22 F6

Textual Amendments

F6 Sch. 8 para. 22 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, Sch. 16

23 F7

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Textual Amendments

F7 Sch. 8 para. 23 repealed by Local Government Act 1972 (c. 70), Sch. 30

Criminal Justice Act 1948

24 In the ^{M23}Criminal Justice Act 1948—

(a) **F8**

(b) in all places where there occurs a reference to a court of quarter sessions (sections . . .
^{F9} 20(5)(a), 37(3)(6)) there shall be substituted a reference to the Crown Court.

Textual Amendments

F8 Sch. 8 para. 24(a) repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

F9 Section number repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

Modifications etc. (not altering text)

C14 The text of Schedule 8 paras. 24(b), 35, 40, 48(a) and 57 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.

Marginal Citations

M23 1948 c. 58.

25—27. **F10**

Textual Amendments

F10 Sch. 8 para. 25–27 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

28 (1) In section 37 of that Act, for paragraph (b) of subsection (1) there shall be substituted the following paragraph—

“(b) the High Court may release on bail a person—

(i) who, after the decision of his case by the Crown Court, has applied to the Crown Court for the statement of a case for the High Court on that decision, or

(ii) who has applied to the High Court for an order of certorari to remove proceedings in the Crown Court on his case into the High Court, or has applied to the High Court for leave to make such an application.”

(2) At the end of subsection (3) of that section there shall be added the words “or by a police officer not below the rank of inspector or the governor of a prison or the keeper of a place of detention”.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

C15 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

29 **F11**

Textual Amendments

F11 Sch. 8 para. 29 repealed by [Legal Aid Act 1974 \(c. 4\)](#), **Sch. 5 Pt. I**

30 **F12**

Textual Amendments

F12 Sch. 8 para. 30 repealed by [Representation of the People Act 1983 \(c. 2, SIF 42\)](#), s. 206(b)(ii), **Sch. 9 Pt. II**

31 **F13**

Textual Amendments

F13 Sch. 8 para. 31 repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73(1), **Sch. 17 Pt. II**

32 **F14**

Textual Amendments

F14 Sch. 8 para. 32 repealed by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(2), **Sch. 4**

Prison Act 1952

33 In section 47(5) of the ^{M24}Prison Act 1952 as amended by the ^{M25}Criminal Justice Act 1961 for the words “at assizes or quarter sessions” substitute “before the Crown Court” and for “quarter sessions” substitute “the Crown Court”.

Modifications etc. (not altering text)

C16 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M24 1952 c. 52.

M25 1961 c. 39

34 **F15**

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Textual Amendments

F15 Sch. 8 para. 34 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), Sch. 9

County Courts Act 1959

- 35 (1) **F16**
- (2) In section 31(4) of the said Act for the words “The judge” at the beginning substitute “Subject to any directions given by or on behalf of the Lord Chancellor as to the place or time of sitting, the judge”.
- (3) In section 201 of the said Act, in the definition beginning “judge” for the words “appointed for a district under this Act” substitute “assigned to a district under section 20(1) of the Courts Act 1971”.

Textual Amendments

F16 Sch. 8 para. 35(1) repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

Modifications etc. (not altering text)

C17 The text of Schedule 8 paras. 24(b), 35, 40, 48(a) and 57 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.

36 **F17**

Textual Amendments

F17 Sch. 8 para. 36 repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), Sch. 25

Obscene Publications Act 1959

- 37 In section 3(50) of the ^{M26}Obscene Publications Act 1959 (time of coming into force of forfeiture order) for the words from “fourteen days” to “order is made” substitute “the period within which notice of appeal to the Crown Court may be given against the order”.

Modifications etc. (not altering text)

C18 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M26 1959 c. 66

38 **F18**

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Textual Amendments

F18 Sch. 8 para. 38 repealed by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148(3), [Sch. 6](#)

Caravan Sites and Control of Development Act 1960

- 39 In section 9(2) of the ^{M27}Caravan Sites and Control of Development Act 1960 (time of coming into force of order revoking a licence) for the words from “on such date” to the words “case stated or otherwise” substitute “on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction”.

Modifications etc. (not altering text)

C19 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M27 1969 c. 62.

Administration of Justice Act 1960

- 40 (1) In section 13(2) of the ^{M28}Administration of Justice Act 1960 (appeal in cases of contempt of court) after paragraph (b) insert—
- “(bb) from an order or decision of the Crown Court to the Court of Appeal.”
- (2) In section 13(5)(a) of the said Act after “High Court” insert “the Crown Court”.
- (3) ^{F19}

Textual Amendments

F19 Sch. 8 para. 40(3) repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

Modifications etc. (not altering text)

C20 The text of Schedule 8 paras. 24(b), 35, 40, 48(a) and 57 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.

Marginal Citations

M28 1960 c. 65.

Criminal Justice Act 1961

- 41 In section 4(2)(a) of the ^{M29}Criminal Justice Act 1961 for the words “a court assize or of quarter sessions” substitute “the Crown Court”.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

C21 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M29 1961 c. 39.

This Amendment shall cease to have effect when the relevant repeal by the ^{M30}Children and Young Persons Act 1969 takes effect.

Marginal Citations

M30 1969 c. 54.

^{M31}*Licensing Act 1964*

Marginal Citations

M31 1964 c. 26.

- 42 (1) In section 28(3)(b) of the Licensing Act 1964 after the words “justices of the peace” insert “or the Crown Court”.
- (2) So far as section 193(1) of the said Act (disqualification of justices) relates to justices sitting in, or otherwise discharging the business of, the Crown Court, for the reference in that subsection to their acting in any area having a separate commission of the peace substitute a reference to their dealing (in the Crown Court) with proceedings which are related to that area in any way.
- (3) For the purposes of the said Act that part of the county borough of Stockport which, at the passing of the ^{M32}Criminal Justice Administration Act 1956, formed part of Cheshire shall instead belong to Lancashire, and to the hundred of Salford in the same way as the remainder of the borough.

Modifications etc. (not altering text)

C22 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M32 1956 c. 34.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

^{M33}Administration of Justice Act 1964

Marginal Citations

M33 1964 c. 42.

43	(1)	F20
	(2)	F21
	(3)	F20
	(4)	F22

Textual Amendments

- F20** Sch. 8 para. 43(1)(3) repealed (E.W.) by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**
- F21** Sch. 8 para. 43(2) repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**
- F22** Sch. 8 para. 43(4) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

44	F23
----	-------	-----

Textual Amendments

- F23** Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

^{M34}Criminal Procedure (Attendance of Witnesses) Act 1965

Marginal Citations

M34 1965 c. 69.

- 45 (1) In section 1(1) of the Criminal Procedure (Attendance of Witnesses) Act 1965 for the words from “the court of assize” to the end of the subsection substitute the words “the Crown Court”.
- (2) In section 2 of the said Act—
- (a) in subsection (1) for the words “a court of assize or quarter sessions” and the words “that court” substitute “the Crown Court”.
 - (b) in subsection (2) for the words “the court out of which the summons was issued” substitute “the Crown Court”.
- (3) For the purposes of section 13 of this Act a warrant issued under section 4 of the said Act (warrant of arrest to secure attendance of witness) shall be treated as a warrant issued by the Crown Court.
- (4) In section 4(2) of the said Act for the words “a court of assize or quarter sessions” substitute “the Crown Court”.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

(5) In Schedule 1 to the said Act, in paragraph 1 and paragraph 2 before the words “rules of court” insert “Crown Court rules or”.

Modifications etc. (not altering text)

C23 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

46 F24

Textual Amendments

F24 Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

47 F25

Textual Amendments

F25 Sch. 8 para. 47 repealed by Matrimonial Causes Act 1973 (c. 18), Sch. 3

Criminal Justice Act 1967

48 In the ^{M35}Criminal Justice Act 1967—

- (a) in all places where there occurs a reference to a court of assize or quarter sessions (sections . . . ^{F26} 56(1)(3)(5)(8)(11), 62(10) . . . ^{F26} and in Schedule 6 paragraphs 2, 14, 16, 21(c)) there shall be substituted a reference to the Crown Court.
- (b) in all places where there occurs a reference to a court of quarter sessions (sections 20, 22(3), 56 . . . ^{F27} (6), 62(6)(7), . . . ^{F28} and in Schedule 6 paragraph 1) there shall be substituted a reference to the Crown Court.

Textual Amendments

F26 Section numbers repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6 and Legal Aid Act 1974 (c. 4), Sch. 5 Pt. I

F27 Sub-section number repealed by Magistrates' Courts Act 1980 (c. 43), Sch.9

F28 Section numbers repealed by Legal Aid Act 1974 (c. 4) Sch. 5 Pt. I

Modifications etc. (not altering text)

C24 The text of Schedule 8 paras. 24(b), 35, 40, 48(a) and 57 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.

Marginal Citations

M35 1967 c. 80.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

49 In section 9(5) of that Act, for paragraphs (a) and (b) there shall be substituted the words “by a puisne judge of the High Court, a Circuit judge or Recorder sitting alone”.

Modifications etc. (not altering text)
C25 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

50 F29

Textual Amendments
F29 Sch. 8 para. 11 repealed by Criminal Justice Act 1972 (c. 71), Sch. 6 Pt. I

51 F30

Textual Amendments
F30 Sch. 8 para. 51 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

52 F31

Textual Amendments
F31 Sch. 8 para. 52 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), Sch. 9

53, 54. F32

Textual Amendments
F32 Sch. 8 paras. 53, 54 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

- 55 (1) In subsection (8) of section 56 of that Act, for the words “the court to which he is committed” there shall be substituted the words “the Crown Court”.
- (2) In subsection (9) of that section for the words “the clerk of the court to which he is committed” there shall be substituted the words “the proper officer of the Crown Court”.
- (3) In subsection (10) of that section for the words “the court to which he is committed” there shall be substituted the words “the Crown Court”.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

C26 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

56 F33

Textual Amendments

F33 Sch. 8 para. 56 repealed by Legal Aid Act 1974 (c. 4), Sch. 5 Pt. I

Criminal Appeal Act 1968

- 57 (1) In the ^{M36}Criminal Appeal Act 1968—
- (a) for the words “a court of assize or quarter sessions” wherever they occur (sections 10(1), (2), 11(2)) substitute the words “the Crown Court”.
 - (b) for the words “at assizes or quarter sessions” wherever they occur (sections 10(2), (3), 24(2)(b), 39(3)) substitute the words “before the Crown Court”.
- (2) F34
- (3) In section 51(1) of the said Act for the definition of the judge of the court of trial substitute— “the judge of court of trial” means, where the Crown Court comprises justices of the peace, the judge presiding. ”

Textual Amendments

F34 Sch. 8 para. 57(2) repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

Modifications etc. (not altering text)

C27 The text of Schedule 8 paras. 24(b), 35, 40, 48(a) and 57 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.

Marginal Citations

M36 1968 c. 19

Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968

- 58 In section 1(4) of the ^{M37}Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 after the words “the High Court” add the words “the Crown Court”.

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

C28 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M37 1968 c. 63.

Children and Young Persons Act 1969

59 [F35(1) In section 3(7) of the Children and Young Persons Act 1969 for the words “quarter sessions” substitute “the Crown Court”.]

(2) In the subsection (3B) in paragraph 1(3) and in paragraph 4(3) of Schedule 1 to the said Act for the words “a court of quarter sessions” substitute “the Crown Court”.

Textual Amendments

F35 Sch. 8 para. 59(1) repealed (*prosp.*) by Children Act 1989 (c. 41, SIF 20), s. 108(2)(6)(7), Sch. 14 paras. 1(1), 27(4), Sch. 15

Modifications etc. (not altering text)

C29 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Administration of Justice Act 1970

60 (1) In section 4(2) of the ^{M38}Administration of Justice Act 1970 for the words “at assizes” substitute “the Crown Court”.

(2) In section 43(1)(b) of the said Act for the words “assizes or quarter sessions” substitute “the Crown Court”.

(3) In paragraphs 1 to 15 of Schedule 9 to the said Act for the words “quarter sessions” and the words “a court of assize or quarter sessions” wherever they occur substitute “the Crown Court”.

(4) For paragraphs 16 to 20 of the said Schedule 9 substitute the following paragraph—

“16 Any order for the payment of costs made by the Crown Court, other than an order falling within Part I above, or an order for costs to be paid out of money provided by Parliament.”

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

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8. (See end of Document for details)

Modifications etc. (not altering text)

C30 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4) (5), 49, 55, 58–60 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.

Marginal Citations

M38 1970 c. 31.

Status:

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

Changes to legislation:

There are currently no known outstanding effects for the Courts Act 1971, SCHEDULE 8.