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SCHEDULES

^{F1}SCHEDULE 1

Textual Amendments

F1 Sch. 1 repealed by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

^{F1}

SCHEDULE 2

Section 16.

HOLDERS OF CERTAIN EXISTING JUDICIAL OFFICES

PART I

CERTAIN OFFICE-HOLDERS TO BE CIRCUIT JUDGES

- 1 (1) On the appointed day the persons then holding office as—
Vice-Chancellor of the County Palatine of Lancaster,
Recorder of London, and
Common Serjeant
shall, by virtue of their offices, become Circuit judges.
- (2) On the appointed day any person who, immediately before that day, held one of the following judicial offices (being offices to which no further appointments are to be made or which cease by virtue of this Act) shall, by virtue of this paragraph, become a Circuit judge:—
Official Referee to the Supreme Court
Recorder of Liverpool
Recorder of Manchester
Additional Judge of the Central Criminal Court
Assistant Judge of the Mayor's and City of London Court
County Court Judge
Whole-time Chairman or whole-time Deputy Chairman of courts of quarter sessions for Greater London, Cheshire, Durham, Kent and Lancashire.
- 2 (1) Any person who, being appointed Recorder of London after the appointed day, is appointed by Her Majesty to exercise judicial functions shall, by virtue of that appointment, be a Circuit judge.

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- (2) Any person who after the appointed day is appointed by Her Majesty to be the Common Serjeant shall, by virtue of that appointment, be a Circuit judge.
- 3 (1) Subject to sub-paragraph (2) below, section 17 of this Act shall apply to the holder of any judicial office who becomes a Circuit judge as mentioned in this Part of this Schedule as it applies to a Circuit judge appointed under section 16 of this Act.
- (2) In the case of any person who becomes a Circuit judge as mentioned in this Part of this Schedule, other than a person who held an office mentioned in paragraph 1(2) above which ceases by virtue of this Act, nothing in section 17 of this Act shall have the effect of depriving him of the office by virtue of which, or by virtue of his appointment to which, he becomes a Circuit judge.

[^{F2}PART IA

CERTAIN OFFICE-HOLDERS ELIGIBLE FOR APPOINTMENT AS CIRCUIT JUDGES

Textual Amendments

F2 Sch. 2 Pt. IA inserted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), **Sch. 10 para. 31(2)**

Social Security Commissioner appointed under section 97 of the ^{M1}Social Security Act 1975.

Marginal Citations

M1 [1975 c.14 \(113:1\)](#).

Marginal Citations

M1 [1975 c.14 \(113:1\)](#).

President of Social Security Appeal Tribunals and Medical Appeal Tribunals or Chairman of such a tribunal appointed under Schedule 10 to that Act.

[^{F3}President of the Employment Tribunals (England and Wales) or member of a panel of chairmen established by regulations under section 1(1) of the ^{M2}Employment Tribunals Act 1996 for employment tribunals for England and Wales.]

Textual Amendments

F3 Sch. 2 Pt. IA entry substituted (1.8.1998) by [1998 c. 8, s. 15](#), **Sch. 1 para. 1**; S.I. 1998/1658, art. 2, **Sch. 1**

Marginal Citations

M2 [1996 c. 17](#).

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Textual Amendments

F3 Sch. 2 Pt. IA entry substituted (1.8.1998) by 1998 c. 8, s. 15, **Sch. 1 para. 1**; S.I. 1998/1658, art. 2, **Sch. 1**

Marginal Citations

M2 1996 c. 17.

President or member of the Immigration Appeal Tribunal appointed under Schedule 5 to the Immigration Act ^{M3}1971.

Marginal Citations

M3 1971 c.77 (62).

Marginal Citations

M3 1971 c.77 (62).

Member (excluding the President) of the Lands Tribunal appointed under section 2 of the Lands Tribunal Act ^{M4}1949.

Marginal Citations

M4 1949 c.42 (127).

President of Pensions Appeal Tribunals appointed under the Schedule to the Pensions Appeal Tribunals Act ^{M5}1943.

Marginal Citations

M5 1943 c.39 (101A:2).

Marginal Citations

M5 1943 c.39 (101A:2).

President of Value Added Tax Tribunals or chairman of such a tribunal appointed under Schedule 8 to the Value Added Tax Act ^{M6}1983.

Marginal Citations

M6 1983 c.55 (40:2).

Special Commissioner appointed under section 4 of the Taxes Management Act ^{M7}1970.

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Marginal Citations

M7 [1970 c.9 \(63:1\)](#).

Coroner appointed under section 2 of the Coroners Act ^{M8}1988.

Marginal Citations

M8 [1988 c.13 \(33\)](#).

Marginal Citations

M8 [1988 c.13 \(33\)](#).

Master of the Queen’s Bench Division.

Queen’s Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.

Admiralty Registrar.

Master of the Chancery Division.

Registrar in Bankruptcy of the High Court.

Taxing Master of the Supreme Court.

District judge of the principal registry of the Family Division.

Registrar of Civil Appeals.

Master of the Court of Protection.

District judge.

[^{F4}District Judge (Magistrates’ Courts)]

Textual Amendments

F4 Words in Sch. 2 Pt. IA substituted (31.8.2000) by [1999 c. 22, s. 78, Sch. 11 para. 19](#) (with [Sch. 14 para. 7\(2\)](#)); [S.I. 2000/1920, art. 3](#)

Textual Amendments

F4 Words in Sch. 2 Pt. IA substituted (31.8.2000) by [1999 c. 22, s. 78, Sch. 11 para. 19](#) (with [Sch. 14 para. 7\(2\)](#)); [S.I. 2000/1920, art. 3](#)

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PART II

SUPPLEMENTARY PROVISIONS WITH RESPECT TO CERTAIN JUDICIAL OFFICERS

- 4 (1) If and so long as any holder of the office of Vice-Chancellor of the County Palatine of Lancaster is also a Circuit judge (whether by virtue of paragraph 1 above or otherwise), he shall take judicial precedence next after the judges of the High Court.
- (2) Notwithstanding the repeal by this Act of section 14(1) of the ^{M9}Administration of Justice Act 1928, paragraph (d) of that subsection (terms of appointment of Vice-Chancellor of the County Palatine of Lancaster) shall continue to apply in relation to the person who is the holder of that office on the appointed day (but not in relation to any subsequent holder of that office) and shall on and after that day apply in relation to him not only in his capacity as Vice-Chancellor but also in his capacity as a Circuit judge; and accordingly, and without prejudice to paragraph 3(2) above, section 17(4) of this Act shall not apply in relation to that person.
- (3) Without prejudice to paragraph 8 below, the Lord Chancellor, with the consent of the Minister for the Civil Service, may make such arrangements as seem to him to be appropriate to secure that the superannuation benefits payable to or in respect of the person who, on the appointed day, holds office as Vice-Chancellor of the County Palatine of Lancaster are not less favourable than those which he enjoyed immediately before the appointed day; and any such arrangements may provide for the cost of those benefits to be defrayed in part by the Duchy of Lancaster.
- (4) Rules under section 39A of the ^{M10}Superannuation Act 1965 (provision for superannuation benefits payable to or in respect of persons employed in two or more judicial offices of specified descriptions) may make provision with respect to the superannuation benefits payable to or in respect of any person who, immediately before the appointed day, held office as registrar or assistant registrar of the Lancaster Palatine Court, as if his office were included in those specified in paragraphs (a) to (i) of subsection (3) of that section.

Marginal Citations

- M9** 1928 c. 26.
M10 1965 c. 74.

- 5 Nothing in section 16, section 18(1) or section 19 of this Act shall apply to the manner of appointment or remuneration of, or the pensions and other benefits payable to or in respect of, any person holding office as Recorder of London or Common Serjeant and accordingly those matters shall continue to be provided for as mentioned in Parts II and III of the ^{M11}City of London (Courts) Act 1964.

Modifications etc. (not altering text)

- C1** Paras. 5–8 extended by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(2)**

Marginal Citations

- M11** 1964 c. iv.

- 6 After the appointed day no person shall be appointed an additional judge of the Central Criminal Court under . . . ^{F5} the City of London (Courts) Act 1964, but

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section 7 of that Act (remuneration and pensions of additional judges and holders of certain other judicial offices) shall continue on and after the appointed day to apply in relation to any person who, immediately before that day, held office as such an additional judge, notwithstanding that he becomes a Circuit judge, and accordingly sections 18(1) and 19 of this Act shall not apply in relation to any such person.

Textual Amendments

F5 Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

Modifications etc. (not altering text)

C2 [Paras. 5–8](#) extended by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(1), [Sch. 3 para. 6\(1\)\(2\)](#)

- 7 On the appointed day section 14 of the ^{M12}City of London (Courts) Act 1964 (appointment and removal of the assistant judge of the Mayor’s and City of London Court) shall cease to have effect, but so much of section 18(3) of that Act as provides for the payment of the remuneration of, and any pension or other benefits payable to or in respect of, the assistant judge shall continue on and after the appointed day to apply to the person who immediately before that day held office as the assistant judge of the Mayor’s and City of London Court, and accordingly sections 18(1) and 19 of this Act shall not apply in relation to that person.

Modifications etc. (not altering text)

C3 [Paras. 5–8](#) extended by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(1), [Sch. 3 para. 6\(1\)\(2\)](#)

Marginal Citations

M12 1964 c. iv.

- 8 Notwithstanding anything in sections 17 to 19 of this Act, the Lord Chancellor shall make such arrangements as seem to him to be appropriate to secure that, in the case of any person who becomes a Circuit judge as mentioned in paragraph 1 above and whose salary as such is charged on and paid out of the Consolidated Fund, so long as he continues to serve as a Circuit judge his remuneration and the other terms and conditions of his service are not less favourable than those which he enjoyed immediately before the appointed day.

Modifications etc. (not altering text)

C4 [Paras. 5–8](#) extended by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(1), [Sch. 3 para. 6\(1\)\(2\)](#)

- 9 (1) Subject to the preceding provisions of this Part of this Schedule, for the purpose of determining—
- (a) the annual pension payable to a Circuit judge under section ^{F65} of the [Judicial Pensions Act 1981](#)], or
 - (b) any such derivative benefit payable to or in respect of him as is referred to in ^{F7}section 19(5) of this Act],
- service before the day appointed for the purposes of section 16 of this Act in any of the judicial offices specified in paragraph 1(2) above, and service (before 1st April

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1965) as a salaried chairman or deputy chairman of the court of quarter sessions for the county of London or of Middlesex, shall be treated as service as a Circuit judge.

- (2) Subject to sub-paragraph (3) below, in any case where—
- (a) any such pension or derivative benefit as is referred to in sub-paragraph (1) above becomes payable to or in respect of any person; and
 - (b) the period of that person's service which falls to be taken into account in determining the amount of that pension or benefit includes, by virtue of sub-paragraph (1) above, service in any judicial office specified in paragraph 1(2) above,

rules made by the Lord Chancellor with the consent of the Minister for the Civil Service may make provision for the payment of contributions towards the cost of the superannuation benefits payable to or in respect of that person by any authority which, before the appointed day, was responsible, directly or indirectly, for meeting the whole or any part of the cost of the superannuation benefits payable to or in respect of former holders of that office.

- (3) Rules made under sub-paragraph (2) above shall not require the payment of any contribution in the case of a person who serves at least fifteen completed years as a Circuit judge, disregarding any period of service taken into account by virtue of sub-paragraph (1) above.
- (4) The power to make rules under sub-paragraph (2) above shall be exercisable by statutory instrument, and any statutory instrument containing any such rules shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F6** Words substituted by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(1), [Sch. 3 para. 6\(1\)\(3\)](#)
- F7** Words substituted by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(1), [Sch. 3 para. 6\(1\)\(4\)](#)

SCHEDULE 3

Section 28.

PREMISES FORMERLY USED FOR BUSINESS OF ABOLISHED COURTS

Right of use for Supreme Court and county courts

- 1 (1) This paragraph has effect—
- (a) as respects any premises which were, up to the appointed day, being used to any extent for business of the abolished courts, and
 - (b) as respects the local authority who were providing the accommodation for the abolished courts,
- and has effect in particular to ensure that court proceedings, including proceedings in cases in the course of hearing on the appointed day, can be conducted without any interruption or interference in the transition from the jurisdiction of the abolished courts to the jurisdiction conferred by this Act.
- (2) On and after the appointed day it shall be the duty of the authority, up to the extent to which the premises were being used for business of the abolished courts, to make the

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premises available for Supreme Court or county court business, together with all the fittings, and all furniture, office and other equipment and other chattels previously made available for business of the abolished courts.

- (3) If the premises, or any larger premises of which they form part, consist of or comprise a courtroom used or available for use as a magistrates' court (whether or not it has also been used for business of the abolished courts), and at any time the Lord Chancellor so directs, it shall be the duty of the authority to make the courtroom available for Supreme Court or county court business to the exclusion of all other business, or to such extent as the Lord Chancellor may direct.

A direction under this sub-paragraph may also apply to all other parts of the building used or available for use for the sitting or other business of the magistrates' court, together with all the fittings, and all furniture, office and other equipment and other chattels, in the courtroom or elsewhere, previously available for business of the magistrates' court.

- (4) Before giving a direction under sub-paragraph (3) above the Lord Chancellor shall consult the Secretary of State, the local authority and any magistrates' courts committee concerned.
- (5) Where under the preceding provisions of this paragraph the authority are to make any premises available, it shall be their duty to heat, light, clean and maintain them.
- (6) The appropriate Minister shall pay to the authority—
- (a) the reasonable and necessary charges for heating, lighting and cleaning premises made available under this paragraph, and a fair contribution to the cost of any custodial services, and
 - (b) a fair contribution in respect of the maintenance and repair of the building, and
 - (c) where the authority pay rent for the premises, a contribution amounting to a fair proportion of the rent, and
 - (d) where the Lord Chancellor gives a direction under sub-paragraph (3) above, such compensation for any costs of removal and costs of initial adaptation of any alternative accommodation incurred by the authority, as is reasonable in the circumstances,

and if and so far as greater use is made of any premises for Supreme Court and county court business as compared with their use for business of the abolished courts, the appropriate Minister shall make such payment to the authority by way of rent as is reasonable having regard both to the rent which the authority have to pay for alternative accommodation, and to the rent which would be commanded by the accommodation (whether the use was at all times or part-time only) which the authority have had to surrender.

- (7) Where under the preceding provisions of this paragraph the authority are to make available any fittings, or furniture, office or other equipment or other chattels—
- (a) it shall be their duty to keep them in order and repair and to clean them;
 - (b) the appropriate Minister shall pay their reasonable and necessary charges under paragraph (a) above;
 - (c) if and so far as greater use is made of any such fittings or chattels for Supreme Court and county court business as compared with their use for business of the abolished courts, the appropriate Minister shall make such payment to the authority by way of hire payments as is reasonable, but not so as to make

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any payment in respect of anything taken into account in paying rent under sub-paragraph (6) above.

- (8) The appropriate Minister shall also make such payment, if any, as is authorised by paragraph 4 below.
- (9) The obligations imposed by this paragraph on any local authority shall terminate on the expiration of a period of ten years beginning with the appointed day, or, in the case of any particular premises, at such earlier time as may be agreed by the Lord Chancellor and the local authority subject to those obligations as respects the premises.
- (10) Where sub-paragraph (1)(b) above applies to two or more local authorities, the obligations imposed by this paragraph shall be shared among them in a way corresponding to that in which they provided for the abolished courts, and, where a direction is given under sub-paragraph (3) above, for any magistrates' court.

Premises acquired by Secretary of State

- 2 (1) Before any premises used for the business of the abolished courts are purchased by the Secretary of State, the Lord Chancellor shall consult any magistrates' courts committee concerned.
- (2) A local authority owning any premises used for the business of the abolished courts shall have power to sell, lease or otherwise dispose of the premises to the Secretary of State, notwithstanding that they are subject to any trust, or have been dedicated to the public.
- (3) Sub-paragraph (2) above shall not be construed as authorising the extinction or curtailment of any public right of way over any part of premises so acquired.
- (4) It is hereby declared that any responsibility of a local authority to provide a court room or other accommodation for any magistrates' court remains unaffected by the acquisition, whether by agreement or compulsorily, by the Secretary of State of any premises used for any such purpose, and accordingly where the Secretary of State acquires any premises the power of the Secretary of State to make the premises available for continued use, to any extent, by a magistrates' court does not affect the local authority's responsibility, or absolve them from the duty to pay a proper rent for the accommodation, on such terms and subject to such conditions as may be agreed.

Compulsory purchase

- 3 (1) This paragraph has effect where—
 - (a) the Secretary of State, not later than the expiration of a period of three years beginning with the appointed day, gives notice in writing to a local authority of his intention to acquire from that local authority (by compulsory purchase or otherwise) any premises which, up to the appointed day, were being wholly or mainly used for business of the abolished courts or other court purposes, and
 - (b) the Secretary of State, within the period of ten years beginning with the appointed day, makes a compulsory purchase order authorising the

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acquisition by him of, or of an interest or estate in, those premises or any part of them.

- (2) If the Lord Chancellor is satisfied that the whole of the land comprised in the compulsory purchase order was, up to the appointed day, exclusively used for business of the abolished courts, and so certifies, [^{F8}sections 17 and 18 of the Acquisition of Land Act 1981] (special parliamentary procedure) shall not apply to the order.
- (3) The compulsory purchase order may be framed so as also to apply to all or any fittings, furniture, equipment and other chattels in, or usually kept or used in, so much of the premises as was, up to the appointed day, being used for business of the abolished courts, or for the business of a magistrates' court, and all the provisions of the said [^{F9}Act of 1981], of the ^{M13}Land Compensation Act 1961 and of the ^{M14}Compulsory Purchase Act 1965 shall have effect accordingly, and subject to any necessary modifications.
- (4) If the whole of the land comprised in the compulsory purchase order was, up to the appointed day, exclusively used for business of the abolished courts,—
 - (a) no compensation shall be payable in respect of the interest or estate of the local authority in the land, but without prejudice to any right to compensation for severance or other injurious affection in respect of any land not acquired, and
 - (b) no compensation shall be payable in respect of the interest of the local authority in any chattels to which the compulsory purchase order applies by virtue of sub-paragraph (3) above.
- (5) Where sub-paragraph (4) above does not apply, the compensation otherwise payable shall be reduced by such amount as will, on a just assessment, secure that no compensation is payable in respect of the land or any chattels to the extent that the land, or any such chattel, was used for business of the abolished courts.

Textual Amendments

F8 Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34(1), [Sch. 4 para. 19\(a\)](#)

F9 Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34(1), [Sch. 4 para. 19\(b\)](#)

Marginal Citations

M13 1961 c. 33.

M14 1965 c. 56.

Loan charges

- 4 (1) Where any premises were, up to the appointed day, being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the local authority an amount equal to the interest element in any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period in which the premises are made available under paragraph 1 of this Schedule.
- (2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above

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as is just having regard to the extent to which the premises were so used respectively for business of the abolished courts, and for other purposes (and this sub-paragraph shall be applied without regard to any direction under paragraph 1(3) of this Schedule requiring the premises to be made available to an extent greater than that required under paragraph 1(2)).

- 5 (1) Where the Secretary of State acquires from a local authority, whether compulsorily or by agreement, any premises which, up to the appointed day, were being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the authority—
- (a) a sum equal to any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period from the beginning of April 1970 to the relevant date, together with
 - (b) the principal sum outstanding at the relevant date,
- but adjusting the payment so as to prevent any amount being paid to the local authority both under this paragraph and under the last preceding paragraph.
- In this sub-paragraph “the relevant date” means the date of acquisition or such other date as may be agreed by the appropriate Minister and the local authority.
- (2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above as is just having regard to the extent to which the building was so used respectively for business of the abolished courts, and for other purposes.
- 6 (1) For the purposes of this Schedule “loan charge” means any sum due by way of repayment of capital, or payment of interest, in respect of a liability incurred to meet capital expenditure in acquiring, providing, reconstructing or altering the premises in question.
- (2) If the Treasury so direct, the provisions of this Schedule about loan charges shall be applied in any case where, in the opinion of the Treasury, the financial arrangements made by a local authority in connection with any capital expenditure are equivalent to the incurring of a capital liability and the discharge of that liability by paying loan charges.
- (3) The two last preceding paragraphs, and this paragraph, shall apply in relation to any loan charge in respect of any fittings, or furniture, office or other equipment or other chattels, made available under this Schedule, or acquired by the Secretary of State, as they apply to premises so made available or acquired, but subject to any necessary modifications.

Premises in which more than one local authority are interested

- 7 (1) If a compulsory purchase order authorises acquisition of the interest or estate of more than one local authority, whether or not each of them were using the premises to discharge obligations as respects the abolished courts, the notice under paragraph 3(1)(a) above shall be given to each of them.

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- (2) Sub-paragraphs (4) and (5) of paragraph 3, and paragraphs 4, 5 and 6 of this Schedule shall not apply to a local authority who, although having an interest or estate in the premises, were not using the premises to discharge any obligation to provide accommodation for the abolished courts.

This sub-paragraph is without prejudice to the application of the said provisions to the local authority in relation to any other premises.

- (3) If different parts of the premises were used for different abolished courts, sub-paragraph (2) above shall be applied to the different parts of the premises as if the parts were different premises.

There shall be made all such apportionments of compensation for compulsory purchase and of loan charges and other sums as are required to give effect to this sub-paragraph, and to take account of ancillary accommodation and of the degree to which it served the respective courts.

Termination of obligation to provide courthouse or sessions-house

- 8 Any obligation imposed on any authority by law or custom to provide an assize courthouse, or a sessions-house for a court of quarter sessions, or a courthouse for any other court abolished by this Act, shall be terminated on the appointed day.

Judges' lodgings

- 9 (1) The duties and responsibilities of sheriffs, and of local authorities, as respects the provision and maintenance of judges' lodgings shall, subject to the provisions of this paragraph, remain in force after the appointed day, and the accommodation provided in discharge of those duties shall be at the disposal of all judges, but subject to such directions, if any, as may be given by the Lord Chancellor.
- (2) A sheriff or other authority shall be entitled to be reimbursed out of money provided by Parliament for any expenditure incurred by the authority in the performance of duties in pursuance of this paragraph.
- (3) All the said duties and responsibilities shall be terminated at the expiration of a period of three years beginning with the appointed day, or in the cases specified in the following provisions of this paragraph, at an earlier date.
- (4) If the Lord Chancellor is satisfied that any particular accommodation will cease to be needed, he may by notice to the sheriff or authority terminate the duties and responsibilities as respects that accommodation on the date specified in the notice.
- (5) If any particular accommodation is comprised in premises acquired by the Secretary of State, the duties and responsibilities as respects that accommodation shall terminate at the time of acquisition.

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Reference of disputes to Lands Tribunal

- 10 (1) Any dispute between a Minister and a local authority as to whether any, and if so what, amount is payable under this Schedule shall be referred to and determined by the Lands Tribunal.
- (2) Where any question of disputed compensation under the ^{M15}Compulsory Purchase Act 1965 is referred to the Lands Tribunal, any related question referable under subparagraph (1) above shall, so far as practicable, be considered and disposed of by the Lands Tribunal on the same occasion.

Marginal Citations

M15 1965 c. 56.

Exclusion of premises in City of London

- 11 Nothing in this Schedule applies to any premises in the City of London.

Supplemental

- 12 (1) In this Schedule, unless the context otherwise requires—
- the “appropriate Minister” means either the Secretary of State or the Lord Chancellor, and, where a liability to make any payment is imposed on the appropriate Minister, it shall be the liability of either of them, or divided between them, as they may agree with the concurrence of the Treasury.
- “business of the abolished courts” means the holding of—
- (a) a court of assize or court of quarter sessions, or
- (b) any other court abolished by this Act,
- and any official business in connection with the work of any such court;
- “local authority” has the same meaning as in the [^{F10}Acquisition of Land Act 1981],
- “Supreme Court and county court business” includes any official business in connection with the work of any such court.
- (2) Any reference in this Schedule to use for business of the abolished courts, or for Supreme Court or county court business, includes use for any purpose ancillary to that business, and includes in particular use of a car park by officials and members of the public when attending in connection with any such business, and in determining the extent of use of any premises, account shall be taken of the periods when use is made of the premises, the degree of use of the premises, and the availability of the premises for other purposes when not so used.
- (3) In determining for the purposes of this Schedule what use was made of any premises up to the appointed day, account shall primarily be taken of use in the two years ending with the appointed day, but allowing for the periodical or seasonal nature of

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the sittings of courts of assize or other courts, and where the degree of use is different in the two years, making an estimate of the average use.

- (4) If on the appointed day any building is in course of construction which is designed and intended for use, to any extent, for business of the abolished courts, this Schedule shall, except where the context otherwise requires, apply as if it were a completed building being used up to the appointed day for the purposes for which it is intended.

Textual Amendments

F10 Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34(1), [Sch. 4 para. 1](#) Table

F11F11 SCHEDULE 4

Textual Amendments

F11 [Sch. 4](#) repealed by [Juries Act 1974 \(c. 23\)](#), [Sch. 3](#)

F11

SCHEDULE 5

Sections 41 to 43.

TRANSITIONAL PROVISIONS CONSEQUENTIAL ON MERGER OR ABOLITION OF CERTAIN COURTS

PART I

THE PALATINE COURTS

Interpretation

- 1 In this Part of this Schedule—
 “the Palatine Court” means the Lancaster Palatine Court or the Durham Palatine Court, as the case may require; and
 “the relevant date”, in relation to the Palatine Court, means the date on which it ceases to exercise any jurisdiction by virtue of section 41(1) of this Act.

Pending Proceedings

- 2 (1) Subject to any provision made (whether before or after the relevant date) by Rules of the Supreme Court,—

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) any proceedings which had been begun in the Palatine Court before the relevant date may be continued on and after that date in the High Court as if they had been begun in the High Court; and
 - (b) anything done in accordance with the rules applicable to proceedings in the Palatine Court shall be treated as having been done in accordance with the rules applicable to corresponding proceedings in the High Court.
- (2) Any act, judgment or order of the Palatine Court in any proceedings shall have the like effect; and further proceedings may be taken in respect of it, as if it were an act, judgment or order of the High Court.

Fees

- 3 (1) All fees and other payments which, having become due in the Lancaster Palatine Court in accordance with any order made under the Chancery of Lancaster Acts 1850 to 1961, had not been paid before the relevant date, shall on and after that date become due to the Duchy of Lancaster, and all money which immediately before that date stood to the credit of, or was awaiting payment into any of the Fee Fund Accounts of the Lancaster Palatine Court shall on that date vest in the Duchy.
- (2) Any money due to the Duchy of Lancaster by virtue of sub-paragraph (1) above shall be recoverable as if it were due to the Duchy under an order of the High Court; and all sums received by the Duchy by virtue of that sub-paragraph shall form part of the revenue of the Duchy.
- (3) All fees and similar payments which, having become due in the Durham Palatine Court, had not been paid before the relevant date shall on and after that date become due to the registrar of the Durham district registry of the High Court as fees in the High Court, and all money received as fees or similar payments in the Durham Palatine Court and held immediately before the relevant date by the registrar of the Durham district registry of the High Court in his capacity as Registrar of the Durham Palatine Court shall be dealt with by him, on and after that date, as High Court fees received by him in his capacity as a district registrar.

Funds in court

- 4 (1) On the relevant date all investments and money which, immediately before that date, constituted the funds in court in the Palatine Court shall, by virtue of this Act and without any transfer or assignment, be vested in the Accountant General of the Supreme Court as funds in the Supreme Court.
- (2) In dealing with any investments and money vested in him by virtue of sub-paragraph (1) above, the Accountant General of the Supreme Court shall comply with any directions which the Lord Chancellor may consider it expedient to give to him with a view to securing the transition of the administration of the funds in court in the Palatine Court to the Supreme Court.
- (3) The transfer of any funds under sub-paragraph (1) above shall not affect the right of any person in or to any of those funds, and any such right may be enforced on and after the appointed day as if it had always been a right in respect of funds in the Supreme Court.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) On the relevant date there shall be vested in the Accountant General of the Supreme Court any outstanding liabilities of the Lancaster Palatine Court in respect of sums which at one time formed part of the funds in court in the Lancaster Palatine Court but which ceased to do so at some time prior to that date; and any amounts required to meet any such liabilities shall be paid out of the Consolidated Fund to the Accountant General.
- (5) On the relevant date section 52 of the ^{M16}Administration of Justice Act 1956 (provision for transfer to charities and ecclesiastical corporations of certain funds in the Lancaster Palatine Court) shall cease to have effect and any funds which, immediately before that date, might have been dealt with under that section may, on and after that date, be dealt with under section 15 of the ^{M17}Administration of Justice Act 1928 (corresponding provision for transfer of funds in the Supreme Court).

Marginal Citations

M16 1956 c. 46.

M17 1928 c. 26.

Court Records

- 5 All records of the Palatine Court shall on and after the relevant date be deemed to be records of the Supreme Court and shall be dealt with accordingly under the ^{M18}Public Records Act 1958.

Marginal Citations

M18 1958 c. 51.

PART II

MAYOR'S AND CITY OF LONDON COURT

Interpretation

- 6 In this Part of this Schedule—
- “the City Court” means the Mayor’s and City of London Court;
- “the county court” means the county court for the City of London established by virtue of section 42(2) of this Act;
- “the relevant date” means the date on which the City Court is abolished.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Pending proceedings

- 7
- (1) Any proceedings which had been begun in the City Court before the relevant date may be continued on and after that date in the county court, whether or not the proceedings could have been begun in a county court.
 - (2) Where, by virtue of sub-paragraph (1) above, proceedings which would not otherwise be within the jurisdiction of a county court are continued in the county court,—
 - (a) the county court shall have the like jurisdiction in respect of the proceedings as if it were the City Court and as if section 42(1) of this Act had not been enacted; and
 - (b) notwithstanding the repeals effected by this Act, section 19(2) of the ^{M19}City of London (Courts) Act 1964 (procedure for non-county court cases) shall apply to the proceedings with the modification that for any reference in the enactment or rules referred to in that section to the City Court there shall be substituted a reference to the county court, and section 15 of the ^{M20}Administration of Justice (Miscellaneous Provisions) Act 1938 (appeals from the City Court) shall apply accordingly.
 - (3) Notwithstanding anything in this Act, the provisions of any enactment or rule of law applicable immediately before the relevant date to any act, judgment or order of the City Court shall continue to apply thereto on and after the relevant date, but anything required on or after the relevant date to be done by or to the City Court or any officer thereof, under or by virtue of any such enactment or rule of law, shall be treated as validly done if done by or to the county court.

Marginal Citations

M19 1964 c. iv.

M20 1938 c. 63.

Outstanding fees

- 8
- All fees and similar payments which, having become due in the City Court, had not been paid before the relevant date shall become due on and after the relevant date to the Common Council of the City of London and shall be recoverable as if they were due to the Common Council under an order of the High Court.

Funds in court

- 9
- (1) On the relevant date all investments and money which immediately before that date constituted the funds in court in the City Court shall, by virtue of this Act and without any transfer or assignment, be vested, subject to sub-paragraph (2) below, in the registrar of the county court as funds in that court.
 - (2) So much of the investments and money referred to in sub-paragraph (1) above as, immediately before the relevant date, was held in the joint names of the Chamberlain of the City of London and the registrar of the City Court shall, instead of being vested

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

solely in the registrar of the county court in accordance with that sub-paragraph, be vested, by virtue of this Act and without any transfer or assignment, jointly in the registrar of the county court and the Accountant-General of the Supreme Court.

PART III

OTHER LOCAL COURTS

Interpretation

- 10 In this Part of this Schedule—
- “the local courts” means the courts abolished by section 43(1) of this Act and “local court” means any one of those courts;
 - “the relevant date” in relation to a local court means the date on which it is abolished; and
 - “the county court”, in relation to a local court, means the county court for the district in which the local court is situated.

Pending proceedings

- 11 (1) Subject to any provision made (whether before or after the relevant date) by county court rules:—
- (a) any proceedings which had been begun in a local court before the relevant date may be continued on and after that date in the county court, whether or not the proceedings could have been begun in that or any other county court; and
 - (b) anything done in accordance with the rules applicable to proceedings in the local court shall be treated as having been done in accordance with the rules applicable to corresponding proceedings in the county court.
- (2) Any act, judgment or order of a local court in any proceedings shall have the like effect, and further proceedings may be taken in respect of it, as if it were an act, judgment or order of the county court.
- (3) Where, by virtue of sub-paragraph (1) above, any proceedings are continued in a county court which could not have been begun in that or any other county court, the court shall have jurisdiction to deal with the proceedings in the like manner as the local court would have had if it had not been abolished.

Fees

- 12 (1) All fees and similar payments which, having become due in a local court, had not been paid before the relevant date shall on and after that date become due to the appropriate local authority, and all sums which immediately before that date stood to the credit of, or were awaiting payment into, any account maintained by a local court for the receipt of fees and similar payments shall on that date vest in the appropriate local authority.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) All money due to the appropriate local authority by virtue of sub-paragraph (1) above shall be recoverable as if it were due to the authority under an order of the High Court.
- (3) For the purposes of this paragraph “the appropriate local authority” means—
- (a) in relation to the Tolzey Court or the Pie Poudre Court of the City and County of Bristol, the council of the county borough of Bristol;
 - (b) in relation to the Liverpool Court of Passage, the council of the county borough of Liverpool;
 - (c) in relation to the Norwich Guildhall Court, the council of the county borough of Norwich; and
 - (d) in relation to the Court of Record for the Hundred of Salford, the council of the county borough of Manchester.

Funds in court

- 13 On the relevant date all investments and money which immediately before that date constituted the funds in court in a local court shall, by virtue of this Act and without any transfer or assignment, be vested in the registrar of the county court as funds in that court.

Court records

- 14 All records of the local courts shall on and after the relevant date be deemed to be records of county courts and may be dealt with accordingly under the ^{M21}Public Records Act 1958.

Marginal Citations

M21 1958 c. 51.

SCHEDULE 6

Section 51.

AMENDMENTS RELATING TO COSTS IN CRIMINAL CASES ETC.

- 1—5. F12

Textual Amendments

F12 Sch. 6 paras. 1–5 repealed by Costs in Criminal Cases Act 1973 (c. 14), Sch. 2

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Betting, Gaming and Lotteries Act 1963

- 6 In paragraph 23 of Schedule 1 to the ^{M22} (award of costs of local authority out of local funds) in sub-paragraph (1) for the words “local funds” there shall be substituted the words “central funds”.

Modifications etc. (not altering text)

C5 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 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 1963 c. 2.

Licensing Act 1964.

- 7 In section 25 of the ^{M23}Licensing Act 1964 (award of costs of licensing justices out of local funds), in subsection (1), for the words “local funds” there shall be substituted the words “central funds”.

Modifications etc. (not altering text)

C6 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 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

M23 1964 c. 26.

Criminal Justice Act 1967

- 8 ^{F13}

Textual Amendments

F13 Sch. 6 para. 8 repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

- 9 (1) In section 32 of the ^{M24}Criminal Justice Act 1967, in subsection (2), for the words from the beginning to “said Act of 1966” there shall be substituted the words “Section 5 of the Costs in Criminal Cases Act 1952 (costs awarded by magistrates’ courts out of central funds), section 26 of the Criminal Appeal Act 1968 (payment of expenses of witnesses in connection with criminal appeals out of central funds), section 33 of the ^{M25}Courts-Martial (Appeals) Act 1968” and after the words “Courts-Martial Appeal Court)” there shall be inserted the words “and section 47 of the Courts Act 1971 (costs awarded by Crown Court out of central funds)”.

- (2) ^{F14}

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F14 Sch. 6 para. 9(2) repealed by Costs in Criminal Cases Act 1973 (c. 14), Sch. 2

Modifications etc. (not altering text)

C7 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 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 1967 c. 80

M25 1968 c. 20.

10 **F15**

Textual Amendments

F15 Sch. 6 para. 10 repealed by Legal Aid Act 1974 (c. 4), Sch. 5 Pt. I

11 **F16**

Textual Amendments

F16 Sch. 6 para. 11 repealed by Costs in Criminal Cases Act 1973 (c. 14), Sch. 2

Gaming Act 1968

12 In paragraph 30 of Schedule 2 to the ^{M26}Gaming Act 1968 (awards of costs of licensing authority out of local funds), in sub-paragraph (2), for the words “local funds” there shall be substituted the words “central funds”.

Modifications etc. (not altering text)

C8 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 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 1968 c. 65.

13 In paragraph 14 of Schedule 9 to the Gaming Act 1968 (award of costs of local authority or licensing justices out of local funds), in sub-paragraph (2), for the words “local funds” there shall be substituted the words “central funds”.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C9** The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 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.

SCHEDULE 7

Section 53.

ADMINISTRATIVE FUNCTIONS OF JUSTICES

PART I

AMENDMENTS OF JUSTICES OF THE PEACE ACT 1949

- [^{F17} In section 16 of the Justices of the Peace Act 1949, paragraph (b) of the proviso to subsection (2), subsection (5) from the words “so however” onwards and subsection (6)(a) shall be omitted.]

Textual Amendments

- F17** Sch. 7 paras. 1–3 repealed (E.W.) by *Justices of the Peace Act 1979* (c. 55, SIF 82), s. 71, **Sch. 3**

Modifications etc. (not altering text)

- C10** The text of Schedule 7 paras. 1–5 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.

- 2 (1) In Schedule 4 to that Act, in paragraph 1, in sub-paragraph (1) after the word “composed” there shall be inserted the words “subject to sub-paragraph (2) below”, and at the end of sub-paragraph (1) there shall be inserted the following sub-paragraph:—

“(2) The magistrates’ courts committee for any area may, with his consent, co-opt a judge of the High Court, Circuit judge or Recorder to serve as a member of the committee”.

- (2) Paragraphs 1(3) and 4 of that Schedule shall be omitted.

Modifications etc. (not altering text)

- C11** The text of Schedule 7 paras. 1–5 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.

- 3 For paragraph 5 of Schedule 4 to that Act there shall be substituted the following paragraph:—

- (5) Where the magistrates for a county are required to meet for the purpose of carrying out any functions under the preceding paragraphs, a meeting shall be convened by

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Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the magistrates' courts committee or, if there is no such committee in being or the Secretary of State considers it appropriate, by the Secretary of State.

Modifications etc. (not altering text)

C12 The text of Schedule 7 paras. 1–5 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.

PART II

AMENDMENTS OF THE PRISON ACT 1952

- 4 (1) In section 6 of the ^{M27}Prison Act 1952, subsection (1) shall be omitted.
- (2) In subsection (2) of that section the words “other than a prison mentioned in subsection (1) of this section” shall be omitted.
- (3) In subsection (3) of that section the words “visiting committee and” and the words “visiting committee or” shall be omitted.
- (4) Subsection (4) of that section shall be omitted.

Modifications etc. (not altering text)

C13 The text of Schedule 7 paras. 1–5 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 1952 c. 52.

- 5 In section 43(4) of that Act, in paragraph (a) the words “subsection (1) of section six” shall be omitted and for paragraph (c) there shall be substituted the following paragraph:—
- “(c) rules made under section 47 of this Act may require the board of visitors appointed by any Borstal institution to consider periodically the character, conduct and prospects of each of the persons detained therein and to report to the Secretary of State on the advisability of his release under supervision.”

Modifications etc. (not altering text)

C14 The text of Schedule 7 paras. 1–5 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 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART III

6 F18

Textual Amendments

F18 Sch. 7 para. 6 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

7, 8. F19

Textual Amendments

F19 Sch. 7 paras. 7, 8 repealed by Licensing (Alcohol Education and Research) Act 1981 (c. 28, SIF 68A:1), s. 11, **Sch. 2 Pt. I**

9 F20

Textual Amendments

F20 Sch. 7 para. 9 repealed by Greater London Council (General Powers) Act 1984 (c. xxvii), s. 42, **Sch. 4 Pt. I**

SCHEDULE 8

Section 56.

AMENDMENTS OF OTHER ACTS

PART I

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 ^{M28}Local Government Act 1888 (which transferred certain quarter sessions functions to councils of counties or county boroughs), and

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) section 101 of the ^{M29}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.

Modifications etc. (not altering text)

C15 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

M28 1888 c. 41.

M29 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 | The Crown Court or the High Court, or as the case may be the High Court and not the Crown Court. |

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- | | | |
|---|--|--|
| | to criminal or civil jurisdiction, or relates exclusively to civil jurisdiction. | |
| 4 | <p>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.</p> <p>This paragraph applies to references to courts of quarter sessions, however expressed, and applies 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 ^{M30}Interpretation Act 1889, were included in the expression “court of quarter sessions”.</p> | The Crown Court. |
| 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). | <p>(a) Where the context implies a reference to jurisdiction of the Crown Court, the Crown Court.</p> <p>(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.</p> <p>(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.</p> |
| 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 | The judge presiding in the Crown Court proceedings. |

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

| | | |
|----|---|---|
| | and meant the chairman or acting chairman of the bench. | |
| 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. |
| 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 ^{M31} 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

M30 1889 c. 63.

M31 1952 c. 48.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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

PART II

MISCELLANEOUS AMENDMENTS

Habeas Corpus 1679

- 4 (1) In section 2 of the ^{M32}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)

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

M32 1679 c. 2.

Vagrancy Act 1824

- 5 The ^{M33}Vagrancy Act 1824 shall be amended as follows:—
- (a) in section 5, as amended by the ^{M34}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”.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

C17 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

M33 1824 c. 83.

M34 1967 c. 80.

6 **F21**

Textual Amendments

F21 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 ^{M35}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)

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

M35 1837 c. 83.

Slave Trade Act 1843

^{F22}8

Textual Amendments

F22 Sch. 8 para. 8 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt. VIII

Indictable Offences Act 1848

9 In sections 12, 13 and 14 of the ^{M36}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.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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

M36 1848 c. 42

Petty Sessions (Ireland) Act 1851

10 In section 30 of the ^{M37}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)

C20 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 1851 c. 93

11 **F23**

Textual Amendments

F23 Sch. 8 para. 11 repealed by Criminal Justice Act 1972 (c. 71), Sch. 6 Pt. I

Explosives Act 1875

^{F24}12

Textual Amendments

F24 Sch. 8 para 12 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 PtVII

13 **F25**

Textual Amendments

F25 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 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Central Criminal Court (Prisons) Act 1881

- 14 In section 2(5) of the ^{M38}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)

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

M38 1881 c. 64

Coroners Act 1887

- 15 (1) In section 5 of the ^{M39}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) ^{F26}

Textual Amendments

F26 Sch. 8 para. 15(2)(3) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

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

M39 1887 c. 71

Witnesses (Public Inquiries) Protection Act 1892

- 16 In section 3 of the ^{M40}Witnesses (Public Inquiries) Protection Act 1892 for the words from “quarter sessions” to the end substitute “Crown Court”.

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.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Marginal Citations

M40 1892 c. 64

^{M41}Indictments Act 1915

Marginal Citations

M41 1915 c. 90.

- 17 (1) In section 2 of the ^{M42}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

M42 1915 c. 90.

- 18 **F27**

Textual Amendments

F27 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 ^{M43}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)

C24 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

M43 1925 c. 86.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

M44 Coroners (Amendment) Act 1926

Marginal Citations

M44 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 ^{M45}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 ^{M46}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

M45 1926 c. 59.

M46 1965 c. 69.

Petroleum (Consolidation) Act 1928

^{F28}21

Textual Amendments

F28 Sch. 8 para 21 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.VII

22 ^{F29}

Textual Amendments

F29 Sch. 8 para. 22 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, Sch. 16

23 ^{F30}

Textual Amendments

F30 Sch. 8 para. 23 repealed by Local Government Act 1972 (c. 70), Sch. 30

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Justice Act 1948

24 In the ^{M47}Criminal Justice Act 1948—

- (a) F31
- (b) in all places where there occurs a reference to a court of quarter sessions (sections . . .
F32 20(5)(a), 37(3)(6)) there shall be substituted a reference to the Crown Court.

Textual Amendments
F31 Sch. 8 para. 24(a) repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6
F32 Section number repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

Modifications etc. (not altering text)
C25 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
M47 1948 c. 58.

25—27. F33

Textual Amendments
F33 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”.

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.

29 F34

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F34 Sch. 8 para. 29 repealed by Legal Aid Act 1974 (c. 4), Sch. 5 Pt. I

30 F35

Textual Amendments

F35 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 F36

Textual Amendments

F36 Sch. 8 para. 31 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), s. 73(1), Sch. 17 Pt. II

32 F37

Textual Amendments

F37 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 ^{M48}Prison Act 1952 as amended by the ^{M49}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)

C27 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

M48 1952 c. 52.

M49 1961 c. 39

34 F38

Textual Amendments

F38 Sch. 8 para. 34 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), Sch. 9

County Courts Act 1959

^{F39}35

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F39 Sch. 8 para. 35 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. I Group 1

36 **F40**

Textual Amendments

F40 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 ^{M50}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)

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

M50 1959 c. 66

38 **F41**

Textual Amendments

F41 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 ^{M51}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)

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.

Marginal Citations

M51 1969 c. 62.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Administration of Justice Act 1960

- 40 (1) In section 13(2) of the ^{M52}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) ^{F42}

Textual Amendments

F42 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)

C30 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

M52 1960 c. 65.

Criminal Justice Act 1961

^{F43}41

Textual Amendments

F43 Sch. 8 para. 41 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. I Group 1

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

^{M54}*Licensing Act 1964*

Marginal Citations

M54 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.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(3) For the purposes of the said Act that part of the county borough of Stockport which, at the passing of the ^{M55}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)

C31 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

M55 1956 c. 34.

^{M56}*Administration of Justice Act 1964*

Marginal Citations

M56 1964 c. 42.

| | | |
|----|-----------|-----|
| 43 | (1) | F44 |
| | (2) | F45 |
| | (3) | F44 |
| | (4) | F46 |

Textual Amendments

- F44** Sch. 8 para. 43(1)(3) repealed (E.W.) by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**
- F45** Sch. 8 para. 43(2) repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**
- F46** Sch. 8 para. 43(4) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

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|----|-------|-----|
| 44 | | F47 |
|----|-------|-----|

Textual Amendments

- F47** Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

^{M57}*Criminal Procedure (Attendance of Witnesses) Act 1965*

Marginal Citations

M57 1965 c. 69.

| | | |
|----|--------------------------|--|
| 45 | ^{F48} (1) | |
|----|--------------------------|--|

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- ^{F49}(2)
- (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”.
- ^{F49}(5)

Textual Amendments
F48 Sch. 8 para. 45(1) repealed (4.7.1996) by 1996 c. 25, ss. 65, 80, **Sch. 5 para. 6** (with s. 78(1))
F49 Sch. 8 para. 45(2)(5) repealed (4.7.1996) by 1996 c. 25, ss. 66, 80, **Sch. 5 para. 7** (with s. 78(1))

Modifications etc. (not altering text)
C32 The text of Schedule 8 para. 45(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.

46 ^{F50}

Textual Amendments
F50 Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

47 ^{F51}

Textual Amendments
F51 Sch. 8 para. 47 repealed by Matrimonial Causes Act 1973 (c. 18), **Sch. 3**

Criminal Justice Act 1967

- 48 In the ^{M58}Criminal Justice Act 1967—
- (a) in all places where there occurs a reference to a court of assize or quarter sessions (sections . . . ^{F52} 56(1)(3)(5)(8)(11), 62(10) . . . ^{F52} 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 . . . ^{F53} (6), 62(6)(7), . . . ^{F54} and in Schedule 6 paragraph 1) there shall be substituted a reference to the Crown Court.

Textual Amendments
F52 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**

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F53** Sub-section number repealed by [Magistrates' Courts Act 1980 \(c. 43\)](#), **Sch.9**
- F54** Section numbers repealed by [Legal Aid Act 1974 \(c. 4\)](#) Sch. 5 Pt. I

Modifications etc. (not altering text)

- C33** 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

- M58** [1967 c. 80](#).

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)

- C34** 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 **F55**

Textual Amendments

- F55** [Sch. 8 para. 11](#) repealed by [Criminal Justice Act 1972 \(c. 71\)](#), **Sch. 6 Pt. I**

51 **F56**

Textual Amendments

- F56** [Sch. 8 para. 51](#) repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), **Sch. 6**

52 **F57**

Textual Amendments

- F57** [Sch. 8 para. 52](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(3), **Sch. 9**

53, 54. **F58**

Textual Amendments

- F58** [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”.

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (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”.

Modifications etc. (not altering text)

C35 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 F59

Textual Amendments

F59 Sch. 8 para. 56 repealed by [Legal Aid Act 1974 \(c. 4\)](#), [Sch. 5 Pt. I](#)

Criminal Appeal Act 1968

- 57 (1) In the ^{M59}Criminal Appeal Act 1968—
- (a) for the words “a court of assize or quarter sessions” wherever they occur (sections 10(1), ^{F60} . . . 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) F61
- (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

F60 In Sch. 8 para. 57(1)(a) the reference to subsection (2) of section 10 is repealed (E.W.) (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 101(2), [Sch. 13](#); [S.I. 1992/333](#), art. 2(2), [Sch. 2](#).

F61 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)

C36 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

M59 1968 c. 19

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968

- 58 In section 1(4) of the ^{M60}Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 after the words “the High Court” add the words “the Crown Court”.

Modifications etc. (not altering text)

C37 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

M60 1968 c. 63.

Children and Young Persons Act 1969

- 59 ^{F62}(1)

(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

F62 Sch. 8 para. 59(1) repealed (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2).

Modifications etc. (not altering text)

C38 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 ^{M61}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—

Status: Point in time view as at 31/08/2000.

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“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.”

Modifications etc. (not altering text)

C39 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

M61 1970 c. 31.

SCHEDULE 9

Section 56.

QUARTER SESSIONS JURISDICTION: SUBSTITUTION OF REFERENCES TO CROWN COURT

PART I

APPELLATE JURISDICTION

| <i>Act</i> | <i>Section or Schedule</i> |
|---|----------------------------|
| M62 Inclosure and Drainage (Rates) Act 1833 | Section 3. |
| M63 Ordnance Survey Act 1841 | Section 2. |
| M64 Companies Clauses Consolidation Act 1845 | Section 159. |
| M65 Lands Clauses Consolidation Act 1845 | Section 146. |
| M66 Inclosure Act 1845 | Section 63. |
| M67 Towns Improvement Clauses Act 1847 | Sections 185 to 190. |
| M68 Ecclesiastical Courts Jurisdiction Act 1860 | Section 4. |
| M69 Trade Union Act 1871 | Section 20. |
| M70 Railway Rolling Stock Protection Act 1872 | Section 6. |

Status: Point in time view as at 31/08/2000.

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| | |
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| ... | ... |
| | F63 |
| F64 | F64 |
| ... | ... |
| F65 | F65 |
| ... | ... |
| F66 | F66 |
| ... | ... |
| F65 | F65 |
| ... | ... |
| M71 | Section 42. |
| Brine Pumping (Compensation for Subsidence) Act 1891 | |
| ... | ... |
| | F67 |
| M72 | Section 5. |
| Canals Protection (London) Act 1898 | |
| M73 | Section 7. |
| Public Health Acts Amendment Act 1907 | |
| ... | ... |
| | F68 |
| M74 | Section 1(7). |
| Marine Insurance (Gambling Policies) Act 1909 | |
| M75 | Section 14(1). |
| Protection of Animals Act 1911 | |
| M76 | Section 2(2). |
| Performing Animals (Regulation) Act 1925 | |
| ... | ... |
| | F69 |
| ... | ... |
| | F70 |
| M77 | Section 55(5). |
| Children and Young Persons Act 1933 | |
| | Section 102. |
| ... | ... |
| | F71 |
| M78 | Section 301. |
| Public Health Act 1936 | |
| M79 | Section 1(1). |

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Dogs Amendment Act 1938

M80

Schedule III, 90.

Water Act 1945

...

...

F72

...

...

F73

M81

Section 15(4).

Prevention of Damage by Pests Act 1949

M82

Section 13(7).

Coast Protection Act 1949

National Parks and Access to the

M83

Section 68(6).

Countryside Act 1949

M84

Section 53(11).

Shops Act 1950

...

...

F74

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F75

Schedule VII, 11.

...

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F76

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F77

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F78

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F79

M85

Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.

M86

Section 3(8).

Agriculture (Safety, Health and Welfare Provisions) Act 1956.

...

...

F80

M87

Section 8(1).

Affiliation Proceedings Act 1957

...

...

F81

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

| | |
|---|---|
| M88 Milford Haven Conservancy Act 1958 | Section 9(4). |
| M89 Trading Representations (Disabled Persons) Act 1958. | Section 3(5). |
| . . . | . . . F82 |
| M90 Adoption Act 1958 | Sections 31(4), 48. |
| . . . | . . . F83 |
| M91 Obscene Publications Act 1959 | Section 3(5). |
| . . . | . . . F84 |
| M92 Factories Act 1961 | Section 165. |
| . . . | . . . F85 |
| M93 Betting, Gaming and Lotteries Act 1963 | Schedule I, 21 to 23, 28, 35. Schedule II, 6. Schedule III, 13(2), (4). |
| . . . | . . . F86 |
| M94 London Government Act 1963 | Schedule XII, 19(2). |
| M95 Offices, Shops and Railway Premises Act 1963 | Section 72. |
| M96 Licensing Act 1964 | Sections 20(5), 21 to 25, 27(3)(4), 50, 146, 154. |
| M97 Compulsory Purchase Act 1965 | Section 12(3). |
| [F87 | Sections 7(1), 99(5), 116(1).] |
| M98 General Rate Act 1967 | |
| M99 Private Places of Entertainment (Licensing) Act 1967 | Section 5(3)(4). |

Status: Point in time view as at 31/08/2000.

Changes to legislation: Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

| | |
|--|--|
| M100 | Section 44. |
| Firearms Act 1968 | Part II of Schedule V. |
| M101 | Section 14(2). |
| Theatres Act 1968 | Schedule II, 29 to 32, 45, 46, 50, 61. |
| M102 | Schedule III, 12, 13, 15, 16. |
| Gaming Act 1968 | Schedule VII, 11, 12, 20. |
| . . . | Schedule IX, 11 to 14. |
| . . . | Schedule XI, 8 to 11. |
| . . . | . . . |
| M103 | F85 |
| Late Night Refreshment Houses Act 1969 | Section 7(3)(b). |
| M104 | F88 |
| Children and Young Persons Act 1969 | Section F89 |
| . . . | . . . |

Textual Amendments

- F63** Entry repealed by [Consumer Credit Act 1974 \(c. 39\)](#), s. 192(4), [Sch. 5](#) and S.I. 1983/1551, art. 5, [Sch. 2](#)
- F64** [Sch. 9 Pt I](#): the entry relating to the Explosives Act 1875 repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. VII](#)
- F65** [Sch. 9 Pt. I](#): the entries relating to the Public Health Act 1875 and the Public Health Acts Amendment Act 1890 repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. X](#) Group 1
- F66** [Sch. 9 Pt. I](#): the entry relating to the Highways and Locomotives (Amendment) Act 1878 repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt XV](#) Group 1
- F67** Entry repealed by [Friendly Societies Act 1974 \(c. 46\)](#), [Sch. 11](#)
- F68** Entry repealed by [Weights and Measures Act 1979 \(c. 45, SIF 131\)](#), s. 23(2), [Sch. 7](#)
- F69** Entry repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), s. 47(4), [Sch. 7 Pt. IV](#)
- F70** Entries repealed by [Consumer Credit Act 1974 \(c. 39\)](#), [Sch. 5](#) and [Land Drainage Act 1976 \(c. 70\)](#), [Sch. 8](#)
- F71** Entry repealed by [Poisons Act 1972 \(c. 66\)](#), [Sch. 2](#)
- F72** Entry repealed by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 8](#)
- F73** Entry repealed by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99(3), 101(1), Sch. 13, [Sch. 15 Pt. I](#)
- F74** Entry repealed by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96(2), [Sch. 6](#)
- F75** Entry repealed by [Customs and Excise Management Act 1979 \(c. 2, SIF 40:1\)](#), s. 177(3), [Sch. 6](#)
- F76** Entry repealed by [Costs in Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)
- F77** Entry repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(3), [Sch. 9](#)
- F78** Entry repealed by [Cinematograph \(Amendment\) Act 1982 \(c. 33, SIF 45A\)](#), s. 10(2), [Sch. 2](#)
- F79** Entry repealed by [Food Act 1984 \(c. 30, SIF 53:1\)](#), s. 134, [Sch. 11](#)
- F80** Entry repealed by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(2), [Sch. 8](#)
- F81** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3(1), 5(2), Sch. 1 Pt. I, [Sch. 4](#)

Status: Point in time view as at 31/08/2000.

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- F82** Entry repealed by [Foster Children Act 1980 \(c. 6, SIF 20\)](#), s. 23(3), **Sch. 3**
- F83** Entry repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), **Sch. 25**
- F84** Entry repealed by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148(3), **Sch. 6**
- F85** Entry repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), **Sch. 25**
- F86** Words repealed by [Lotteries and Amusements Act 1976 \(c. 32\)](#), **Sch. 5**
- F87** Entry repealed (E.W.) (for financial year beginning in or after 1990) by [Local Government Finance Act 1988 \(c. 41, SIF 81:1\)](#), ss. 142, 149, **Sch. 13 Pt. I** (subject to any saving under s. 117(8) of the said Local Government Finance Act 1988)
- F88** “Section 16(8)” in Sch. 19 Pt. I substituted (14. 10. 1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5) (6), **Sch. 13 para. 28** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**.
- F89** Word in Sch. 9 Pt. I in entry relating to “Children and Young Persons Act 1969” repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Marginal Citations

- M62** 1833 c. 35.
- M63** 1841 c. 30.
- M64** 1845 c. 16.
- M65** 1845 c. 18.
- M66** 1845 c. 118.
- M67** 1847 c. 34.
- M68** 1860 c. 32.
- M69** 1871 c. 31.
- M70** 1872 c. 50.
- M71** 1891 c. 40.
- M72** 1898 c. 16.
- M73** 1907 c. 53.
- M74** 1909 c. 12.
- M75** 1911 c. 27.
- M76** 1925 c. 38.
- M77** 1933 c. 12.
- M78** 1936 c. 49.
- M79** 1938 c. 21.
- M80** 1945 c. 42.
- M81** 1949 c. 55.
- M82** 1949 c. 74.
- M83** 1949 c. 97.
- M84** 1950 c. 28.
- M85** 1956 c. 44.
- M86** 1956 c. 49.
- M87** 1957 c. 55.
- M88** 1958 c. 23.
- M89** 1958 c. 49.
- M90** 1958 c. 5.
- M91** 1959 c. 66.
- M92** 1961 c. 34.
- M93** 1963 c. 2.
- M94** 1963 c. 33.
- M95** 1963 c. 41.
- M96** 1964 c. 26.
- M97** 1965 c. 56.
- M98** 1967 c. 9.
- M99** 1967 c. 19.
- M100** 1968 c. 27.

Status: Point in time view as at 31/08/2000.

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M101 1968 c. 54.
M102 1968 c. 65.
M103 1969 c. 53.
M104 1969 c. 54.

PART II

ORIGINAL JURISDICTION

| <i>Act</i> | <i>Section or Schedule</i> |
|----------------------------------|---|
| ... | ... F90 |
| ... | ... F91 |
| ... | ... F92 |
| M105 Firearms Act 1968 | Section 21(6)(7). Schedule 3 Part I. |

Textual Amendments

- F90** Words repealed by [Reservoirs Act 1975 \(c. 23\)](#), **ss. 28(1)**, 29(1)
F91 Entry repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73(1), **Sch. 17 Pt. II**
F92 Entry repealed by [Highways Act 1980 \(c. 66, SIF 59\)](#), s. 343(3), **Sch. 25**

Marginal Citations

M105 1968 c. 27.

SCHEDULE 10.

Section 56.

TRANSITIONAL PROVISIONS

PART I

CRIMINAL ASSIZE COURTS AND COURTS OF QUARTER SESSIONS

- 1 (1) Subject to the provisions of this Act, for the purpose of enabling proceedings instituted before the appointed day to be continued thereafter, and for preserving in other respects the continuity of the administration of justice, the Crown Court shall be treated as succeeding to, and being the same court as, all criminal assize courts

Status: Point in time view as at 31/08/2000.

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and, except as respects functions not transferred to the Crown Court, all courts of quarter sessions.

- (2) Any order, writ, summons, warrant, recognizance, notice, grant of legal aid or other proceeding or document shall have effect in accordance with sub-paragraph (1) above, and shall be construed, unless the context otherwise requires, in accordance with the Table in Part I of Schedule 8 to this Act.
- (3) In any proceedings in which a magistrates' court has committed a person for trial at, or otherwise given direction as respects the hearing of proceedings by, a specified court of assize or court of quarter sessions, the place and time of trial of the proceedings in the Crown Court shall be determined in accordance with directions given by or on behalf of the Lord Chief Justice with the concurrence of the Lord Chancellor.

Part-heard proceedings

- 2 (1) Any proceeding the hearing of which has begun but is not completed before the appointed day before a criminal court of assize or before a court of quarter sessions shall, subject to the provisions of this paragraph, be continued and disposed of as if this Act had not been passed.
- (2) Sub-paragraph (1) above shall not affect the provisions of Schedule 3 to this Act as to the provision of court accommodation.
- (3) A local or other authority shall be entitled to be reimbursed by the Lord Chancellor in respect of any expenditure incurred by the authority in consequence of sub-paragraph (1) above which, but for the provisions of that sub-paragraph, would have been payable by the Lord Chancellor or some other Minister.

Costs in criminal cases

- 3 Nothing in this Act shall affect any order made before the appointed day for the payment of costs out of local funds within the meaning of the^{M106} Costs in Criminal Cases Act 1952, and except so far as the Lord Chancellor otherwise directs, any such costs shall be taxable and recoverable as if this Act had not been passed.

Marginal Citations

M106 1952 c. 48.

Records of courts of quarter sessions

- 4 Before the appointed day the clerk of the peace of each court of quarter sessions shall make arrangements, in accordance with directions given by or on behalf of the Lord Chancellor, for the disposal in accordance with those directions of all records in his custody or control which relate to the judicial business of the court of quarter sessions.

Status: Point in time view as at 31/08/2000.

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PART II

COURTS: MISCELLANEOUS

Civil courts of assize

- 5 (1) Subject to any provision made by rules of court, and to sub-paragraph (2) below—
- (a) any civil proceedings which had been begun in a court of assize before the appointed day may be continued on and after the appointed day in the High Court as if they had been begun in the High Court and not assigned to a court of assize, and
 - (b) any act, judgment or order in civil proceedings in a court of assize shall be treated as having been done in accordance with the rules applicable to proceedings in the High Court, other than in a court of assize.
- (2) Any civil proceedings in a court of assize the hearing of which has begun but is not completed before the appointed day shall be continued and disposed of as if this Act had not passed.

Directions by Lord Chief Justice

- 6 (1) The Lord Chief Justice may if it appears to him expedient give directions as to the conduct of any proceedings instituted in any court abolished by this Act if in his opinion the direction is required to meet any difficulty arising from the transfer by this Act of the jurisdiction of any of those courts.
- (2) The preceding provisions of this Schedule, and the provisions of Schedule 5 to this Act, shall have effect subject to any direction under this paragraph.
- (3) A direction under this paragraph may relate either to a specified proceeding, or to proceedings of a specified class or description.

PART III

COUNTY COURT JUDGES

- 7 Each person who, immediately before the appointed day, held office as judge for a county court district shall be treated, on and after that day, as having been assigned to that district (in his capacity as a Circuit judge) under section 20(1) of this Act.
- 8 Notwithstanding anything in section 20(4) of this Act, the termination by virtue of that section of a person's appointment as temporary or deputy judge of a county court shall not prevent him from continuing to deal with any case which had been begun before him before the appointed day; and for the purposes of that case and of any proceedings subsequent thereon he shall continue, on and after the appointed day, to be treated as a temporary or deputy judge of the county court concerned as if

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section 20(4) of this Act and the repeal of the provisions of the ^{M107}County Courts Act 1959 relating to temporary and deputy judges of county courts had not been enacted.

Marginal Citations

M107 1959 c. 22.

PART IV

JUDGES, OFFICERS AND STAFF

Continuation of appointments

- 9 (1) The repeals made by this Act shall not affect the appointment of any judge, officer or other person made before the repeal takes effect, but without prejudice to any provision of this Act abolishing any office or employment.
- (2) The repeals made by this Act shall not affect any pension or other right in respect of service before the repeal takes effect.

Jury service

- 10 The abolition by this Act of the offices of clerk of assize, clerk of the peace and other offices shall not affect the operation of section 16 of the ^{M108}Criminal Justice Act 1967 (under which certain persons are exempt from jury service for ten years after ceasing to hold office).

Marginal Citations

M108 1967 c. 80.

- 11, 12. **F93**

Textual Amendments

F93 Sch. 10 paras. 11, 12 repealed by [Judicial Pensions Act 1981 \(c. 20, SIF 71:2\)](#), s. 36(2), [Sch. 4](#)

- 13, 14. **F94**

Textual Amendments

F94 Sch. 10 paras. 13, 14 repealed by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 8](#)

- 15 (1) In relation to any person who, before the day appointed for the coming into force of section 44(1)(a) of this Act held office as a clerk of the peace or a deputy clerk of the peace, the repeal by this Act of—
- (a) section 9(2) of the ^{M109}Local Government (Clerks) Act 1931,
- (b) any provision of the ^{M110}Local Government Superannuation Act 1937,

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- (C) any provision of the ^{M111}Local Government Superannuation Act 1953, and
- (d) sections 8 and 29 of the ^{M112}Administration of Justice Act 1964.

shall not affect the continued operation of those provisions or of any regulations made under them so far as they relate to rights accrued, contributions made and other things done before that day.

- (2) Without prejudice to sub-paragraph (1) above, for the purposes of—
 - (a) any statutory provision contained in or made or issued under the Local Government Superannuation Acts 1937 to 1953, the ^{M113}Superannuation (Miscellaneous Provisions) Act 1948 or Part III of the ^{M114}National Insurance Act 1965, which is in force at the passing of this Act, and
 - (b) except as may be otherwise expressly provided therein, any enactments passed after the passing of this Act whereby any of those Acts is amended, extended or superseded, and any statutory instrument which after the passing of this Act is made or issued under any of those Acts or such an enactment, in any case where, at the time after the day appointed for the purposes of section 44(1) of this Act, a court of quarter sessions would, if this Act had not been passed, have been the employing authority in relation to a clerk of the peace, deputy clerk of the peace or other officer of the court who before that day died while serving, or otherwise ceased to serve, in that employment, or in relation to the widow or any other dependant of such a person, the relevant local authority, as defined in sub-paragraph (3) below, shall be treated as being at that time the employing authority in relation to that person or, as the case may be, to that person's widow or other dependant.
- (3) In sub-paragraph (2) above “the relevant local authority” means—
 - (a) in relation to a person, or the widow or other dependant of a person, who was clerk of the peace or deputy clerk of the peace for a London commission area or who was otherwise an officer of the court of quarter sessions for such an area, the Greater London Council; and
 - (b) in relation to any person, or the widow or other dependant of any person, not falling within paragraph (a) above, the county council which, immediately before the day appointed for the purposes of section 44(1) of this Act, defrayed expenditure of the court of quarter sessions concerned under section 29(9) of the ^{M115}Administration of Justice Act 1964.

Marginal Citations

- M109 1931 c. 45.
- M110 1937 c. 68.
- M111 1953 c. 25.
- M112 1964 c. 42.
- M113 1948 c. 33.
- M114 1965 c. 51.
- M115 1964 c. 42.

- 16 (1) The Lord Chancellor may, with the concurrence of the Minister for the Civil Service, give a direction with respect to any clerk, bailiff, usher or messenger of a county court appointed by the registrar of that court under the proviso to section 28(1) of the ^{M116}County Courts Act 1959 (which relates to the case where the registrar's salary includes the remuneration of any such officer) or deemed to have been so appointed

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by virtue of section 205 of that Act; and where a direction is so given then, subject to sub-paragraph (2) below, that person's employment in court service shall be deemed for all purposes to be employment in the civil service of the State . . . ^{F95}

- (2) Except in so far as the Minister for the Civil Service directs in any case, no account shall be taken for the purposes of this paragraph of court service before the [^{F96}giving of the direction under sub-paragraph (1) above].
- (3) For the purpose of this paragraph "court service" means employment as a clerk, bailiff, usher or messenger in the service of a county court, whether or not combined with employment as a clerk in the service of a district registry of the High Court.

Textual Amendments

F95 Words repealed by [Superannuation Act 1972 \(c. 11\), Sch. 8](#)

F96 Words substituted by [Superannuation Act 1972 \(c. 11\), Sch. 6 para. 81\(b\)](#)

Marginal Citations

M116 [1959 c. 22.](#)

Seconding of staff from local or other authorities

- 17 (1) This paragraph has effect in order to meet any temporary shortage of staff to be appointed by the Lord Chancellor for the Supreme Court or county courts which may arise in the course of bringing the provisions of this Act into force.
- (2) A local or other authority may enter into any agreement with the Lord Chancellor for the placing at the disposal of the Lord Chancellor, on such terms as may be provided by the agreement, of the services of any person who is employed by the authority and who gives his consent.
- (3) For the avoidance of doubt it is hereby declared that for superannuation purposes service rendered by a person whose services are placed at the disposal of the Lord Chancellor in pursuance of this paragraph is service rendered to the authority by whom that person is employed.
- (4) This paragraph applies whether or not the staff to be placed at the disposal of the Lord Chancellor were employed in the discharge by the authority of duties of which the authority will be relieved by this Act, and is without prejudice to any other power exercisable by the authority for the purposes set out in sub-paragraph (2) above.

SCHEDULE 11

Section 56.

REPEALS

Modifications etc. (not altering text)

C40 The text of Schedule 11 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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| PART I JURIES | | |
|------------------------------|--|--|
| Chapter | Short Title | Extent of Repeal |
| 6 Geo. 4. c. 50. | The Juries Act 1825. | The whole Act except sections 1, 27, 29 and 50. In section 27 the words from "provided that nothing" to the end of the section. In section 50 the words from "Provided also" to the end of the section. Section 21. |
| 7 Geo. 4. c. 64. | The Criminal Law Act 1826. | The whole Act. |
| 1 & 2 Vict. c. 4. | The Quarter Sessions Act 1837. | Sections 105 to 115. |
| 15 & 16 Vict. c. 76. | The Common Law Procedure Act 1852. | Section 59. |
| 17 & 18 Vict. c. 125. | The Common Law Procedure Act 1854. | The whole Act. |
| 25 & 26 Vict. c. 107. | The Juries Act 1862. | Section 6. Section 19. Section 20 except as respects service at a coroner's court. Section 21. In section 23 the words from "be allowed at" to "court, and". Section 24. In the Schedule, in the entry beginning "Officers of the courts" the words "and the clerks of the peace or their deputies" and the penultimate three entries, that is the words from "Members of the council" to "he is a justice". |
| 33 & 34 Vict. c. 77. | The Juries Act 1870. | |
| 45 & 46 Vict. c. 50. | The Municipal Corporations Act 1882. | Section 186. |
| 50 & 51 Vict. c. 55. | The Sheriffs Act 1887. | Section 12. In section 26 the words "to impanel or return any inquest, jury or tales, or". In the second form in Schedule 2 all the words following "I shall remain therein". The whole Act. |
| 10 Edw. 7 & 1 Geo. 5. c. 17. | The County Common Juries Act 1910. | The whole Act. |
| 9 & 10 Geo. 5. c. 71. | The Sex Disqualification (Removal) Act 1919. | In section 1 the words from the last "and" in proviso (a) to "the Indictments Act 1915". Sections 3, 4 and 5. In section 7 the definition of "sheriff". In section 8(b) the words "(without prejudice to the provisions of section thirty-seven of the Juries Act 1825)". Section 35(3). |
| 12 & 13 Geo. 5. c. 11. | The Juries Act 1922. | Sections 2 to 9. Section 11. In section 14 paragraphs (c) and (d). Sections 18 and 19. Section 22. In Schedule 2 the amendment of section 1(8) of the Juries Act 1922. Section 95. Section 96(3). |
| 11 & 12 Geo. 6. c. 58. | The Criminal Justice Act 1948. | In section 21, subsections (3) and (4), subsection (5)(b)(c) and subsections (7), (8) and (9). |
| 12, 13 & 14 Geo. 6. c. 27. | The Juries Act 1949. | Section 14(5). |
| 12, 13 & 14 Geo. 6. c. 86. | The Electoral Registers Act 1949. | In Schedule 4, in paragraph 14 the words "section 11 of the Juries Act 1862 and" and the word "each". In section 5(2) the words "in the county wherein he dwells". |
| 7 & 8 Eliz. 2. c. 22. | The County Courts Act 1959. | |
| 1964 c. 42. | The Administration of Justice Act 1964. | |
| 1967 c. 80. | The Criminal Justice Act 1967. | |
| 1969 c. 48. | The Post Office Act 1969. | |
| 1970 c. 9. | The Taxes Management Act 1970. | |

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PART II

LOCAL COURTS

| Chapter | Short Title | Extent of Repeal |
|--------------------------|---|---|
| 26 Hen. 8. c. 14. | The Jurisdiction in Liberties Act 1535. | Section 3 so far as saved from repeal by Schedule 5 to the Justices of the Peace Act 1968. |
| 6 & 7 Will. 4. c. 19. | The Durham (County Palatine) Act 1836. | In section 1, the proviso. |
| 13 & 14 Vict. c. 43. | The Court of Chancery of Lancaster Act 1850. | The whole Act. |
| 15 & 16 Vict. c. lxxvii. | The London (City) Small Debts Extension Act 1852. | The whole Act. |
| 17 & 18 Vict. c. 82. | The Court of Chancery of Lancaster Act 1854. | The whole Act. |
| 31 & 32 Vict. c. cxxx. | The Salford Hundred Court of Record Act 1868. | Section 8. |
| 35 & 36 Vict. c. 86. | The Borough and Local Courts of Record Act 1872. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 51 & 52 Vict. c. 57. | The Statute Law Revision (No. 2) Act 1888. | The whole Act. |
| 52 & 53 Vict. c. 47. | The Palatine Court of Durham Act 1889. | The whole Act. |
| 53 & 54 Vict. c. 23. | The Chancery of Lancaster Act 1890. | In section 4 the words "to the court of the county palatine of Lancaster or". |
| 53 & 54 Vict. c. 33. | The Statute Law Revision Act 1890. | In section 23(2) the words "or the Chancery Court of the County Palatine of Lancaster". |
| 53 & 54 Vict. c. 39. | The Partnership Act 1890. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 53 & 54 Vict. c. 51. | The Statute Law Revision (No. 2) Act 1890. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 55 & 56 Vict. c. 19. | The Statute Law Revision Act 1892. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 56 & 57 Vict. c. 14. | The Statute Law Revision Act 1893. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 56 & 57 Vict. c. 54. | The Statute Law Revision (No. 2) Act 1893. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 57 & 58 Vict. c. 56. | The Statute Law Revision Act 1894. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 59 & 60 Vict. c. 8. | The Life Insurance Companies (Payment into Court) Act 1896. | In section 3 the words from "or where" to "Court" in the last place where it occurs. In section 4 the words "or the Palatine Court, as the case may be". |

| Chapter | Short Title | Extent of Repeal |
|---------------------------|---|---|
| 59 & 60 Vict. c. 35. | The Judicial Trustees Act 1896. | In section 2 the words "and as respects trusts within its jurisdiction by a Palatine Court". |
| 8 Edw. 7. c. 49 | The Statute Law Revision Act 1908. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 1 & 2 Geo. 5. c. clxxii. | The Salford Hundred Court of Record Act 1911. | The whole Act. |
| 11 & 12 Geo. 5. c. lxxiv. | The Liverpool Corporation Act 1921. | Sections 244 to 263. |
| 12 & 13 Geo. 5. c. 16. | The Law of Property Act 1922. | In section 188(6) the words from "and also" to "have jurisdiction", except the words "or the county court". |
| 15 & 16 Geo. 5. c. 18. | The Settled Land Act 1925. | Section 113(2). |
| 15 & 16 Geo. 5. c. 19. | The Trustee Act 1925. | In section 67, in subsection (1) the words from "and also" to "Durham" and in subsection (2) the words "Palatine Courts and". |
| 15 & 16 Geo. 5. c. 20. | The Law of Property Act 1925. | In section 203(3) the words from "and also" to "Durham". |
| 15 & 16 Geo. 5. c. 21. | The Land Registration Act 1925. | In section 3(ii) the words from "and also" to "Durham". In section 138(1) the words from "and also" to "Durham". In section 143(3) the words "or by the Court of Chancery of Lancaster or Durham" and the words "or such Court of Chancery respectively". |
| 15 & 16 Geo. 5. c. 23. | The Administration of Estates Act 1925. | In section 35(1)(v) the words from "and as respects" to the end of paragraph (iv). |
| 15 & 16 Geo. 5. c. 22. | The Land Charges Act 1925. | In section 20(2) the words from "also" to "Durham". |
| 15 & 16 Geo. 5. c. 49. | The Supreme Court of Judicature (Consolidation) Act 1925. | Section 28. In section 209 the words "to the Court of the County Palatine of Lancaster, or". |
| 17 & 18 Geo. 5. c. 42. | The Statute Law Revision Act 1927. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 18 & 19 Geo. 5. c. 26. | The Administration of Justice Act 1928. | Section 14(1). |
| 23 & 24 Geo. 5. c. 13. | The Foreign Judgments (Reciprocal Enforcement) Act 1933. | In section 11(1), in the definition of "Judgments given in the superior courts of the United Kingdom" the words from "the Court of Chancery" in the first place where they occur to "Durham". |

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| Chapter | Short Title | Extent of Repeal |
|--------------------------------------|--|---|
| 1 & 2 Geo. 6. c. 22. | The Trade Marks Act 1938. | Section 39(12). |
| 1 & 2 Geo. 6. c. 45. | The Inheritance (Family Provision) Act 1938. | In section 5(1), in the definition of "the court", as originally enacted, the words from "and also" to "jurisdiction", and in that definition as set out in Schedule 3 to the Family Provision Act 1966, the words from "the Court of Chancery" where those words first occur, to "Durham or". |
| 1 & 2 Geo. 6. c. 63. | The Administration of Justice (Miscellaneous Provisions) Act 1938. | Section 15. |
| 11 & 12 Geo. 6. c. 38. | The Companies Act 1948. | Section 218(2). |
| 11 & 12 Geo. 6. c. 62. | The Statute Law Revision Act 1948. | Section 365(4). |
| 14 Geo. 6. c. 6. | The Statute Law Revision Act 1950. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 15 & 16 Geo. 6 and 1 Eliz. 2. c. 49. | The Court of Chancery of Lancaster Act 1952. | The whole Act. |
| 2 & 3 Eliz. 2. c. 5. | The Statute Law Revision Act 1953. | In section 2 the words "to the court of the county palatine of Lancaster or". |
| 2 & 3 Eliz. 2. c. xiviii. | The Manchester Corporation Act 1954. | Section 83. |
| 4 & 5 Eliz. 2. c. 46. | The Administration of Justice Act 1956. | Section 2. In section 3, in subsections (1) and (3) the words "the Liverpool Court of Passage", in subsection (4) the words from "and (where) to" "Passage" and in subsections (5), (6) and (7) the words "the Liverpool Court of Passage". In section 4(6) the words "the Liverpool Court of Passage". |
| 5 & 6 Eliz. 2. c. 56. | The Housing Act 1957. | Section 52. In section 164(3) the words from "and the Court" to "Durham". |
| 6 & 7 Eliz. 2. c. 51. | The Public Records Act 1958. | In section 8(1), the proviso, in Schedule 1, paragraph 4(1)(c). |
| 7 & 8 Eliz. 2. c. 22. | The County Courts Act 1959. | In section 55(1), the proviso, in section 140(3) the words from "and includes" to the end of the subsection. Section 169. |

| Chapter | Short Title | Extent of Repeal |
|-----------------------------|--|--|
| 7 & 8 Eliz. 2. c. 22.—cont. | The County Courts Act 1959—cont. | In section 174(2) the words "or the Mayor's and City of London Court Funds' Rules, as the case may be". In section 175 the words from "or the Mayor's" to the end of the section. In section 176 the words from "Mayor's" to "of this Act". In section 180(2) the words from "(other" to "court)". Section 183(3). Section 197. |
| 7 & 8 Eliz. 2. c. 72. | The Mental Health Act 1959. | In Schedule 7, the amendments of the Court of Chancery of Lancaster Act 1850. |
| 8 & 9 Eliz. 2. c. 58. | The Charities Act 1960. | In section 46, the definition of "Attorney General". |
| 8 & 9 Eliz. 2. c. 65. | The Administration of Justice Act 1960. | In section 13(2)(b) the words "of the Chancery Court of a County Palatine". |
| 9 & 10 Eliz. 2. c. 38. | The Court of Chancery of Lancaster (Amendment) Act 1961. | The whole Act. |
| 1965 c. 2. | The Administration of Justice Act 1965. | Section 11. In section 19(1), the words "or the Mayor's and City of London Court". |
| 1968 c. 23. | The Rent Act 1968. | In section 95(6), the words from "or the Court of Chancery" to "Durham". |
| 1969 c. 46. | The Family Law Reform Act 1969. | In section 6(1) the words from "the Court of Chancery" in the first place where they occur to "Durham". In section 7(1), the words from "the Court of Chancery" in the first place where they occur to "Durham". |
| 1969 c. 58. | The Administration of Justice Act 1969. | Section 32. |
| 1970 c. 31. | The Administration of Justice Act 1970. | In section 37(1) the words "or the county palatine of Lancaster". |

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PART III
COSTS IN CRIMINAL CASES

| Chapter | Short Title | Extent of Repeal |
|------------------------------------|---|---|
| 15 & 16 Geo. 6 & 1 Eliz. 2, c. 48. | The Costs in Criminal Cases Act 1952. | Sections 1 to 4. In section 5, in subsections (3) and (4), the words "and giving evidence". Section 11. Section 15. Section 17(5). In Schedule 3, the amendments of the Costs in Criminal Cases Act 1952. Section 18. |
| 8 & 9 Eliz. 2, c. 65. | The Administration of Justice Act 1960. | Section 17(5). |
| 10 & 11 Eliz. 2, c. 15. | The Criminal Justice Administration Act 1962. | Section 18. |
| 1963 c. 2. | The Betting, Gaming and Lotteries Act 1963. | In Schedule 1, sub-paragraphs (2) to (4) of paragraph 23. |
| 1964 c. 26. | The Licensing Act 1964. | In section 25, subsections (2) to (4). |
| 1964 c. 42. | The Administration of Justice Act 1964. | In Schedule 3, paragraph 21 and paragraph 31(2)(3). |
| 1967 c. 52. | The Tokyo Convention Act 1967. | Section 7(5). |
| 1967 c. 58. | The Criminal Law Act 1967. | In Schedule 2, paragraph 15(2) from "and in relation" to the end of the paragraph. |
| 1967 c. 80. | The Criminal Justice Act 1967. | In section 31, subsections (3) to (6). Section 32(1). In section 81, subsections (5), (6) and (7). In Schedule 4, paragraphs 21 and 22. |
| 1968 c. 19. | The Criminal Appeal Act 1968. | Section 28(3). In Schedule 5, the amendments to sections 7, 8, 10 and 11 of the Costs in Criminal Cases Act 1952. |
| 1968 c. 65. | The Gaming Act 1968. | In Schedule 2, sub-paragraphs (3) to (5) of paragraph 30 and in paragraph 32(2) the words "to (5)". |
| 1968 c. 69. | The Justices of the Peace Act 1968. | In Schedule 9, sub-paragraphs (3) to (5) of paragraph 14. In Schedule 3, in paragraph 4, sub-paragraph (1) from "or" in the first place where it occurs to the end of the sub-paragraph and sub-paragraph (3). |

PART IV
OTHER REPEALS

| Chapter | Short Title | Extent of Repeal |
|-----------------------------|---|---|
| 33 Hen. 8, c. 39. | The Crown Debts Act 1541. | Section 37. |
| 34 & 35 Hen. 8, c. 26. | The Laws in Wales Act 1542. | Section 21. |
| 31 Chas. 2, c. 2. | The Habeas Corpus Act 1679. | Section 6. |
| 16 Geo. 2, c. 18. | The Justices Jurisdiction Act 1742. | Sections 17 and 18. Section 3. |
| 25 Geo. 2, c. 36. | The Disorderly Houses Act 1751. | Section 10. |
| 32 Geo. 3, c. 56. | The Servants' Characters Act 1792. | Section 10. |
| 38 Geo. 3, c. 52. | The Counties of Cities Act 1798. | The whole Act. |
| 44 Geo. 3, c. 102. | The Habeas Corpus Act 1804. | In section 1 the words from "or any justice of oyer" to "baron as aforesaid" and the words "or any sitting of nisi prius" and the words "grand, petit or other". The whole Act. |
| 51 Geo. 3, c. 100. | The Counties of Cities Act 1811. | The whole Act. |
| 52 Geo. 3, c. 155. | The Places of Religious Worship Act 1812. | In section 7 the words from "before or at" to the end of the section. In section 10 the words "or the courts of the counties palatine of Lancaster, and Durham (as the case shall require)". Section 12. Sections 16 and 17. Section 23. Section 26. |
| 54 Geo. 3, c. 159. | The Harbours Act 1814. | Section 23. Section 26. |
| 57 Geo. 3, c. 91. | The Clerks of the Peace (Fees) Act 1817. | The whole Act. |
| 57 Geo. 3, c. 93. | The Distress (Costs) Act 1817. | In section 7 the words "either" and "quarter or other". |
| 59 Geo. 3, c. 7. | The Cutlery Trade Act 1819. | Section 9. In section 10 the words "and also for the said justices in quarter sessions assembled" and the word "respectively". |
| 60 Geo. 3 & 1 Geo. 4, c. 1. | The Unlawful Drilling Act 1819. | In section 2 the words from "and it shall be lawful" to the end of the section. |
| 4 Geo. 4, c. 48. | The Judgment of Death Act 1823. | The whole Act. |
| 7 Geo. 4, c. 63. | The County Buildings Act 1826. | The whole Act. |
| 7 Geo. 4, c. 64. | The Criminal Law Act 1826. | Sections 12 and 13. Section 31. |
| 9 Geo. 4, c. 69. | The Night Poaching Act | Sections 6, 7 and 8. |

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| Chapter | Short Title | Extent of Repeal |
|-------------------------------|---|--|
| 11 Geo. 4 & 1 Will. 4. c. 70. | The Law Terms Act 1830. | Section 15. |
| 1 & 2 Will. 4. c. 32. | The Game Act 1831. | Section 44. |
| 3 & 4 Will. 4. c. 55. | The Inclosure and Drainage (Rates) Act 1833. | In section 3 the words from "which shall be holden" to the end of the section. In section 4 the words "or adjudication made on appeal therefrom". Sections 10, 11 and 12. |
| 3 & 4 Will. 4. c. 41. | The Judicial Committee Act 1833. | Sections 105 to 108. |
| 5 & 6 Will. 4. c. 50. | The Highways Act 1835. | The whole Act. |
| 7 Will. 4 & 1 Vict. c. 24. | The County Buildings Act 1837. | The whole Act. |
| 7 Will. 4 & 1 Vict. c. 77. | The Central Criminal Court Act 1837. | Section 1. |
| 1 & 2 Vict. c. 38. | The Vagrancy Act 1838. | The whole Act. |
| 2 & 3 Vict. c. 69. | The Judges' Lodgings Act 1839. | Section 32. |
| 2 & 3 Vict. c. 71. | The Metropolitan Police Courts Act 1839. | In section 11, the words "on the trial of any cause in any of the courts of common law, or" and the words from "at any session" to "Wales". In section 4, the words following "general quarter sessions" to "transmitted to him as aforesaid", and the words "without motion". In section 2, the words from "who shall hear" to the end of the section. In section 5 the words from "and in case it shall happen" to "in the execution of the purposes of this Act". In section 6 the words "or by such inhabitants as aforesaid". The whole Act. |
| 3 & 4 Vict. c. 92. | The Non-Parochial Registers Act 1840. | In section 4 the words from " or information" to "Queen's Bench", the words "or informations respectively" and the words "in Her Majesty's said Court of Queen's Bench". Section 7. |
| 3 & 4 Vict. c. 110. | The Loan Societies Act 1840. | Section 160. |
| 4 & 5 Vict. c. 30. | The Ordnance Survey Act 1841. | |
| 5 & 6 Vict. c. 38. | The Quarter Sessions Act 1842. | |
| 6 & 7 Vict. c. 98. | The Slave Trade Act 1843. | |
| 7 & 8 Vict. c. 33. | The County Rates Act 1844. | |
| 8 & 9 Vict. c. 16. | The Companies Clauses Consolidation Act 1845. | |

| Chapter | Short Title | Extent of Repeal |
|-----------------------|--|--|
| 10 & 11 Vict. c. 16. | The Commissioners Clauses Act 1847. | In section 3 the definition of "quarter sessions". Section 93. |
| 10 & 11 Vict. c. 27. | The Harbours, Docks and Pier Clauses Act 1847. | Section 26. In section 85 the words "England or". In section 90 the words "or the court of quarter sessions", the words "or of the chairman of the court" and the words "or chairman". The whole Act. |
| 10 & 11 Vict. c. 28. | The County Buildings Act 1847. | |
| 10 & 11 Vict. c. 34. | The Towns Improvement Clauses Act 1847. | In section 3 the definition beginning "The expression "quarter sessions". In section 185 the words from "holden" to "poor rates", and the words from "but no such appeal" to the end of the section. In section 186 the words from "holden" to the end of the section. Section 187. In section 189 the words from "and shall likewise" to "within their jurisdiction". Section 190. |
| 10 & 11 Vict. c. 89. | The Town Police Clauses Act 1847. | In section 3 the definition beginning "The expression "quarter sessions". Section 32. |
| 11 & 12 Vict. c. 42. | The Indictable Offences Act 1848. | In section 32 the words from "and also nothing" to the end of the section. The whole Act. |
| 11 & 12 Vict. c. 43. | The Summary Jurisdiction Act 1848. | The whole Act. |
| 12 & 13 Vict. c. 45. | The Quarter Sessions Act 1849. | The whole Act. |
| 12 & 13 Vict. c. 109. | The Petty Bag Act 1849. | The whole Act. |
| 13 & 14 Vict. c. 26. | The Piracy Act 1850. | In section 6 the words from "in Her Majesty's" to the end of the section except for the words "in England". Section 27. In section 30 the words "and any nisi prus record". Section 2. |
| 14 & 15 Vict. c. 100. | The Criminal Procedure Act 1851. | The whole Act. |
| 16 & 17 Vict. c. 30. | The Criminal Procedure Act 1853. | The whole Act. |
| 18 & 19 Vict. c. 15. | The Judgments Act 1855. | In section 3, the words from "acts to be" to "sessions or to". Sections 9 to 12. In section 15 the words "England and". |
| 21 & 22 Vict. c. 73. | The Stipendiary Magistrates Act 1858. | |
| 24 & 25 Vict. c. 45. | The General Pier and Harbour Act 1861. | |

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| Chapter | Short Title | Extent of Repeal |
|-----------------------|---|---|
| 24 & 25 Vict. c. 97. | The Malicious Damage Act 1861. | Section 68. In section 69 the words " or adjudication made on appeal therefrom ". |
| 25 & 26 Vict. c. 114. | The Poaching Prevention Act 1862. | In section 5 the words " or adjudication made on appeal therefrom ". |
| 27 & 28 Vict. c. 25. | The Naval Prize Act 1864. | Section 6. In section 46 the words from " to be proceeded against " to " Admiralty, and ". |
| 27 & 28 Vict. c. 39. | The Union Assessment Committee Amendment Act 1864. | The whole Act. |
| 28 & 29 Vict. c. 104. | The Crown Suits Act 1865. | The whole Act. |
| 30 & 31 Vict. c. 35. | The Criminal Law Amendment Act 1867. | In section 6 (as amended by the Magistrates' Courts Act 1952) the words " clerk of assize, clerk of the peace or other ". |
| 30 & 31 Vict. c. 36. | The Chester Courts Act 1867. | The whole Act. |
| 30 & 31 Vict. c. 48. | The Sale of Land by Auction Act 1867. | In section 8 the words " or of the Court of Chancery in the County Palatine of Lancaster ". |
| 30 & 31 Vict. c. 115. | The Justices of the Peace Act 1867. | The whole Act. |
| 32 & 33 Vict. c. 62. | The Debtors Act 1869. | In section 10 the words from " As respects any other court " to " judge of such court ". |
| 35 & 36 Vict. c. 51. | The Judges Salaries Act 1872. | Section 29. In section 4 the words " county court judge ". |
| 37 & 38 Vict. c. 45. | The County of Hertford and Liberty of St. Alban Act 1874. | Sections 16 to 20. Sections 36 and 37. Section 42. |
| 38 & 39 Vict. c. 17. | The Explosives Act 1875. | In section 75 the words from " where the justices " to " other local authority " and " itself ". |
| 38 & 39 Vict. c. 55. | The Public Health Act 1875. | In section 4 the definition of " court of quarter sessions ". |
| 38 & 39 Vict. c. 86. | The Conspiracy and Protection of Property Act 1875. | Section 12. |
| 38 & 39 Vict. c. 89. | The Public Works Loans Act 1875. | In section 33 the words from " The Court of Exchequer " to " the proceeding ". |
| 39 & 40 Vict. c. 57. | The Winter Assizes Act 1876. | The whole Act. |
| 39 & 40 Vict. c. 77. | The Cruelty to Animals Act 1876. | Section 16. |
| 40 & 41 Vict. c. 46. | The Winter Assizes Act 1877. | The whole Act. |
| 41 & 42 Vict. c. 50. | The County of Hertford Act 1878. | The whole Act. |

| Chapter | Short Title | Extent of Repeal |
|----------------------|---|--|
| 42 & 43 Vict. c. 1. | The Spring Assizes Act 1879. | The whole Act. |
| 42 & 43 Vict. c. 19. | The Habitual Drunkards Act 1879. | Section 30. |
| 42 & 43 Vict. c. 49. | The Summary Jurisdiction Act 1879. | The whole Act. |
| 44 & 45 Vict. c. 60. | The Newspaper Libel and Registration Act 1881. | In section 16 the words from " and enforced " to the end of the section. |
| 45 & 46 Vict. c. 31. | The Inferior Courts Judgments Extension Act 1882. | In section 4 the words from " or, in the City " to " London Court ". |
| 45 & 46 Vict. c. 50. | The Municipal Corporations Act 1882. | In section 105 the words " quarter and " and the words " or an assize courthouse with or without judge's lodgings ". |
| | | Section 150, but not so as to affect the areas which are rating areas at the commencement of this Act. |
| | | Section 151. |
| | | In section 152(1) the words from " in addition " to " section ". |
| | | In section 153(1) the words " and having a separate court of quarter sessions " and paragraph (a). |
| | | In section 154(2) the words " exercisable out of quarter sessions ". |
| | | In section 158(1) the words from " except that " to the end of the subsection. |
| | | In section 159(3) the words " at any court of gaol delivery or quarter sessions ". |
| | | Sections 162 to 168. Sections 173 to 177. Section 183. |
| | | In section 187 the words " or of a separate court of quarter sessions ". |
| | | Sections 188 and 189. Section 219(2). Section 225(7). |
| | | In section 234 the words " by the clerk of the peace (if any) for the borough " and paragraph (c). |
| | | In section 248(2) the words " court of quarter sessions " (where they first occur), " recorder " and the words " and clerk of the peace ". |
| | | Section 252. |
| | | In Schedule 5 paragraphs 4 and 6. Schedule 6. |

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| Chapter | Short Title | Extent of Repeal |
|----------------------|---|--|
| 45 & 46 Vict. c. 72. | The Revenue, Friendly Societies and National Debt Act 1882. | Section 24(e). |
| 46 & 47 Vict. c. 18. | The Municipal Corporations Act 1883. | In subsections (2) and (3) of section 15 the word "Recorder". |
| 50 & 51 Vict. c. 55. | The Sheriffs Act 1887. | Section 9. Section 13. In section 14 subsections (2) and (3). Section 19. In section 29(3) the words "any court of assize, oyer and terminer or gaol delivery". In section 34(e) the words "to the return of panels or juries, or". Section 35. In section 36(4) the words from "and any jurisdiction" to the end of the section. |
| 50 & 51 Vict. c. 71. | The Coroners Act 1887. | In section 10(1) the words "found by a grand jury". Section 15. |
| 51 & 52 Vict. c. 41. | The Local Government Act 1888. | In section 3 paragraph (iv), in paragraph (ix) the words "the clerk of the peace and", in paragraph (x) the words "the clerk of the peace and". Section 8. In section 31 the words from "and if" in the proviso to the end of the section. In section 32(3) paragraph (a) and in paragraph (b) the words "quarter sessions and" and the words from "and if" to the end of the paragraph. In section 34(1)(a) the words "clerk of the peace and". Section 35(5). Section 37. In section 42(12) the words "Quarter sessions", the words "may be held and" and the words from "but no jurors" to the end of the subsection. In section 46(5) the words "chairman of quarter sessions or" and the words "or for any assize courts", and the words "chairman of". |

| Chapter | Short Title | Extent of Repeal |
|------------------------------------|---|---|
| 51 & 52 Vict. c. 41.— <i>cont.</i> | The Local Government Act 1888.— <i>cont.</i> | Section 64(1)(a). Section 81. In section 83, subsections (4) and (9). In section 100 in the definition of court costs the words "of assizes and", "quarter and", the words from "the judges' lodgings" to "peace"; "the costs of the jury lists" and the words from "the assizes" to "the judges" except for the words "party sessions". |
| 52 & 53 Vict. c. 10. | The Commissioners for Oaths Act 1889. | In section 1(2) the words from "including all proceedings" to the end of the subsection. |
| 52 & 53 Vict. c. 12. | The Assizes Relief Act 1889. | The whole Act. |
| 52 & 53 Vict. c. 63. | The Interpretation Act 1889. | In section 13 paragraphs (4), (5) and (14). |
| 54 & 55 Vict. c. 40. | The Brine Pumping (Compensation for Subsidence) Act 1891. | In section 42 the words from "The provisions of section 31" to the end of the section. |
| 57 & 58 Vict. c. 60. | The Merchant Shipping Act 1894. | Section 682. |
| 63 & 64 Vict. c. 27. | The Railway Employment (Prevention of Accidents) Act 1900. | Section 11(2). |
| 6 Edw. 7. c. 46. | The Recorders, Stipendiary Magistrates, and Clerks of the Peace Act 1906. | The whole Act. |
| 8 Edw. 7. c. 41. | The Assizes and Quarter Sessions Act 1908. | The whole Act. |
| 1 & 2 Geo. 5. c. 6. | The Perjury Act 1911. | In section 9(1) the words from "or any sheriff" to "executed" and the words from "at the proper court" to the end of the subsection. |
| 3 & 4 Geo. 5. c. 32. | The Ancient Monuments Consolidation and Amendment Act 1913. | Section 9(2). Section 14(2). |
| 4 & 5 Geo. 5. c. 59. | The Bankruptcy Act 1914. | In section 140 the words from "or in the Court" to "Lancaster". |
| 5 & 6 Geo. 5. c. 90. | The Indictments Act 1915. | Section 2(3). In Schedule 1 paragraph 13(G). |
| 10 & 11 Geo. 5. c. 81. | The Administration of Justice Act 1920. | Section 3(2). |
| 14 & 15 Geo. 5. c. 17. | The County Courts Act 1924. | Section 3. Section 5. Section 11(2). |
| 15 & 16 Geo. 5. c. 28. | The Administration of Justice Act 1925. | Section 19. |

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| Chapter | Short Title | Extent of Repeal |
|------------------------|---|---|
| 15 & 16 Geo. 5. c. 49. | The Supreme Court of Judicature (Consolidation) Act 1925. | In section 3(1) the words from "or any person" to "High Court" in the first place where those words occur and the proviso to that subsection. Section 18(2)(a)(vii). Section 25. Section 52. Sections 70 to 83. In section 98(1) the words "other than a criminal proceeding by the Crown". Section 104(2). Section 105(2). Section 106. Section 109 and 109A. Sections 111 to 114. Section 115(3). Section 116(4). Section 118(2). Section 119(1). Section 123. Section 125. Sections 130 to 132. Section 201. In section 213(1) the words "or in any court created by any commission". In section 225 the definitions of "clerk of assize", "commission of assize", "county", "spring assizes" and "winter assizes". In Schedule 1 the entry relating to the Petty Bag Act 1849. In Schedule 3, in Part I, the words "Official Referee to the Supreme Court". In Schedule 4 the entry relating to an Official Referee and in column 2 of that Schedule paragraphs 2(i) and 4(iii). In section 11 subsections (1), (2) and (4). Section 14. Section 20. Section 23. In section 41(2)(b) the word "recorder". In section 49(2) the definition of quarter sessions. In section 25(2) the words from "and such rules" to the end of the subsection. Sections 3 and 4. In Schedule 1, the amendments of sections 112 and 116 of the Judicature Act 1925. |
| 15 & 16 Geo. 5. c. 86. | The Criminal Justice Act 1925. | In section 11 subsections (1), (2) and (4). Section 14. Section 20. Section 23. In section 41(2)(b) the word "recorder". In section 49(2) the definition of quarter sessions. In section 25(2) the words from "and such rules" to the end of the subsection. Sections 3 and 4. In Schedule 1, the amendments of sections 112 and 116 of the Judicature Act 1925. |
| 16 & 17 Geo. 5. c. 59. | The Coroners (Amendment) Act 1926. | In section 25(2) the words from "and such rules" to the end of the subsection. Sections 3 and 4. In Schedule 1, the amendments of sections 112 and 116 of the Judicature Act 1925. |
| 18 & 19 Geo. 5. c. 26. | The Administration of Justice Act 1928. | In section 11 subsections (1), (2) and (4). Section 14. Section 20. Section 23. In section 41(2)(b) the word "recorder". In section 49(2) the definition of quarter sessions. In section 25(2) the words from "and such rules" to the end of the subsection. Sections 3 and 4. In Schedule 1, the amendments of sections 112 and 116 of the Judicature Act 1925. |

| Chapter | Short Title | Extent of Repeal |
|-----------------------------|--|---|
| 19 & 20 Geo. 5. c. 17. | The Local Government Act 1929. | In section 79(1) the words "or special juror". |
| 20 & 21 Geo. 5. c. 44. | The Land Drainage Act 1930. | In section 30(4) the words from the beginning to "section, but". |
| 20 & 21 Geo. 5. c. 51. | The Reservoirs (Safety Provisions) Act 1930. | In section 5(1) the words "for the county or borough in which any part of the reservoir is situate". The whole Act. |
| 21 & 22 Geo. 5. c. 45. | The Local Government (Clerks) Act 1931. | Section 56(2)(b). |
| 23 & 24 Geo. 5. c. 12. | The Children and Young Persons Act 1933. | Section 1. |
| 23 & 24 Geo. 5. c. 36. | The Administration of Justice (Miscellaneous Provisions) Act 1933. | In section 2, in subsection (1) the words "or chairman", subsections (4) and (5) and in subsection (6) the words "or of a commissioner of assize". In Schedule 2, paragraph 2. The whole Act. |
| 23 & 24 Geo. 5. c. 38. | The Summary Jurisdiction (Appeals) Act 1933. | Section 59(3). |
| 23 & 24 Geo. 5. c. 51. | The Local Government Act 1933. | In section 98 the words from "but" to the end of the section. In section 100 subsection (2) and in subsection (3) in paragraph (a) the words from "or if" to "either office", proviso (j) and in proviso (ii) the words from the beginning to "of the county", and in subsection (4) the words from "or, where" to "those offices". In section 148(1)(d) the words "court of quarter sessions", "clerk of the peace" and the word "sessions". Section 242(2). In section 275(3) the words "palatine court or". Section 9. Section 29. Part I of Schedule 1. Section 19. Part II of Schedule 2. |
| 24 & 25 Geo. 5. c. 53. | The County Courts Act 1934. | Section 9. Section 29. Part I of Schedule 1. Section 19. Part II of Schedule 2. |
| 1 Edw. 8 & 1 Geo. 6. c. 68. | The Local Government Superannuation Act 1937. | Section 19. |
| 1 & 2 Geo. 6. c. 63. | The Administration of Justice (Miscellaneous Provisions) Act 1938. | Sections 1 to 5. In section 8 the words "or court of quarter sessions", Section 11. In Schedule 2 the amendments of sections 77 and 78 of the Judicature Act, of the Criminal Justice Act 1925 and of the local Acts for Middlesex and Hertfordshire. |

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| Chapter | Short Title | Extent of Repeal |
|----------------------------|--|---|
| 1 & 2 Geo. 6. c. 67. | The Supreme Court of Judicature (Amendment) Act 1938. | In section 2 subsections (2) and (3). |
| 9 & 10 Geo. 6. c. 78. | The Supreme Court of Judicature (Circuit Officers) Act 1946. | The whole Act. |
| 11 & 12 Geo. 6. c. 24. | The Police Pensions Act 1948. | Section 5(2)(3). |
| 11 & 12 Geo. 6. c. 38. | The Companies Act 1948. | In section 270(9) the words following "Lord Chancellor" to "that court". |
| 11 & 12 Geo. 6. c. 38. | The Criminal Justice Act 1948. | In section 8(3) paragraph (b) of the proviso. Section 17(3). Section 20(4). In section 35(2) the words "chairman of quarter sessions, recorder" and subsection (3). Section 37(5). In Schedule 9 the amendments of the Diplomatic Privileges Act 1708, the Beerhouse Act 1840, the Queen's Remembrancer Act 1859, the Local Government Act 1888, the Criminal Appeal Act 1907, the Costs in Criminal Cases Act 1908, the Licensing (Consolidation) Act 1910, the Local Government (Clerks) Act 1931 and the Summary Jurisdiction (Appeals) Act 1933. |
| 12, 13 & 14 Geo. 6. c. 51. | The Legal Aid and Advice Act 1949. | In Schedule 1 heads (e) to (k) of paragraph 1 and paragraph 5. |
| 12, 13 & 14 Geo. 6. c. 68. | The Representation of the People Act 1949. | Section 45(6). In section 111, subsections (1), (2), (4) and (7), and in subsection (3) the words "by the sheriff, mayor or other person". In section 163 in the definition of "public office" the words "clerk of the peace". |
| 12, 13 & 14 Geo. 6. c. 97. | The National Parks and Access to the Countryside Act 1949. | In section 31, in subsection (2) paragraphs (a) and (d), and in subsections (3), (4), (5) and (6) the words "or committee" wherever they occur, and subsection (7). |

| Chapter | Short Title | Extent of Repeal |
|-----------------------------|-------------------------------------|---|
| 12, 13 & 14 Geo. 6. c. 101. | The Justices of the Peace Act 1949. | In section 8(4), as set out in Schedule 4 to the Justices of the Peace Act 1968, the words "or recorder" and the words from "and a paid" to the end of the subsection, and section 8(3)(a). Section 10(5) except as respects Orders made before the coming into force of this repeal. In section 13, in subsection (1) the words "as a court of quarter sessions or" and in subsection (4) the words "at quarter sessions or". In section 16, paragraph (b) of the proviso to subsection (2), subsection (5) from the words "so however" onwards and subsection (6)(a). In section 20(6) the words "clerk of the peace". In section 27(2) the words from "otherwise" to "sessions". Sections 38 and 39. In section 44(1) the definition of "court of quarter sessions". In Schedule 2— in paragraph 11, in sub-paragraph (1) from the words "and the reference" to the end of the sub-paragraph, and in sub-paragraph (2) the words from "and in the case" to the end of the sub-paragraph, paragraphs 12 and 13, in paragraph 17, except as respects Orders made before the coming into force of this repeal, in sub-paragraph (1) the words "(including recorders)" and "court of quarter sessions or" (twice), and in sub-paragraph (2), in paragraph (a), the words "in or out of quarter sessions (including a recorder)" and paragraph (d). In Schedule 4 paragraphs 1(3) and 4. |

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| Chapter | Short Title | Extent of Repeal |
|------------------------------------|--|---|
| 14 & 15 Geo. 6. c. 11. | The Administration of Justice (Pensions) Act 1950. | Section 22. In Schedule 1 the entry beginning " Judge appointed for a district " and the entries relating to an Official Referee and to a Clerk of Assize. In Schedule 2, in the amendment of the County Courts Act 1934, the words from " in Part I " to " forthwith ". |
| 14 & 15 Geo. 6. c. 39. | The Common Informers Act 1951. | In the Schedule the entries relating to the Levy of Fines Act 1822, the Juries Act 1825 and the Summary Jurisdiction Act 1848. |
| 14 & 15 Geo. 6. c. 65. | The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951. | In section 48 the words " or clerk of the peace ". |
| 15 & 16 Geo. 6 & 1 Eliz. 2. c. 52. | The Prison Act 1952. | In section 6, subsection (1), in subsection (2) the words from " other than " to " section ", in subsection (3) the words " visiting committees and " and the words " visiting committee or ", and subsection (4). Section 20. In section 25(7) the words " but not for the purpose of subsection (2) thereof ". In section 43(4)(a), the words " subsection (1) of section six ". |
| 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55. | The Magistrates' Courts Act 1952. | Section 1(4). Sections 9 to 12. In section 19(3) the words " tell him before what court he would be tried if tried by a jury and ". In section 25(3) the words " tell him before what court he would be tried if tried by a jury and ". In section 34 the words " of assize or quarter sessions ". Section 84. Section 85(1). In section 126(1) the definition of " clerk of assize ". Section 129. In Schedule 2 paragraph 6. |

| Chapter | Short Title | Extent of Repeal |
|--|---|--|
| 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.—cont. | The Magistrates' Courts Act 1952.—cont. | In Schedule 5, in the amendment of the Criminal Law Amendment Act 1907, the words " clerk of assize, clerk of the peace or other ", and the amendments of the Assizes Relief Act 1889, the Summary Jurisdiction (Appeals) Act 1933 and sections 20 and 23 of the Criminal Justice Act 1948. |
| 15 & 16 Geo. 6 & 1 Eliz. 2. c. 68. | The Cinematograph Act 1952. | Section 6(2). |
| 1 & 2 Eliz. 2. c. 25. | The Local Government Superannuation Act 1953. | Section 24. In Schedule 1, paragraph 11. |
| 2 & 3 Eliz. 2. c. 27. | The Judges' Remuneration Act 1954. | The whole Act. |
| 2 & 3 Eliz. 2. c. 38. | The Supreme Court Officers (Pensions) Act 1954. | Section 1. Section 3. |
| 4 & 5 Eliz. 2. c. 34. | The Criminal Justice Administration Act 1956. | Part I. Sections 13 to 15. Section 16(1)(a). In section 17, in subsection (1) the words from " nor " to the end of the subsection, and subsections (3) and (4). Sections 19 and 20. In section 21(2) the words from " except " to the end of the subsection. |
| 4 & 5 Eliz. 2. c. 46. | The Administration of Justice Act 1956. | Schedule 1. Sections 9 and 10. In section 25(1) the words from the beginning to " accordingly ". |
| 4 & 5 Eliz. 2. c. 69. | The Sexual Offences Act 1956. | Section 52. In section 37(2) the words " if an indictment is not triable by a court of quarter sessions ". In Schedule 2, in column 2, the words " not triable at quarter sessions " wherever they occur, and in paragraph 16 the words from " triable " to " not otherwise " (twice). |
| 5 & 6 Eliz. 2. c. 20. | The House of Commons Disqualification Act 1957. | In Schedule 1, in Part I, all the entries from the first entry beginning " Commissioner " to the entry beginning " Judge of a County Court " except the entries relating to— Judge of the Courts-Martial Appeal Court, and |

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| Chapter | Short Title | Extent of Repeal |
|-------------------------------|--|--|
| 5 & 6 Eliz. 2. c. 20—cont. | The House of Commons Disqualification Act 1957—cont. | Chairman of the Scottish Lands Court; the six entries beginning with that relating to the Presiding Judge of the Liverpool Court of Passage and ending with the last entry beginning with the words “Whole-time salaried”; and the entry “Official Referee to the Supreme Court”. In Schedule 1, in Part III, the entry “Clerk of Assize” and the entry “Registrar of any district of the Court of Chancery of the County Palatine of Lancaster”. In Schedule 1, in Part IV the entries relating to a recorder and to a chairman or deputy chairman of a court of quarter sessions. In Schedule 3, in Part III of Schedule 1 as there set out the words “Clerk of Assize”. |
| 5 & 6 Eliz. 2. c. 27. | The Solicitors Act 1957. | In section 18(1) the words “any court of assize, any general or quarter sessions”. In section 29(5) in the definition of “county office” the words “clerk or deputy clerk of the peace of a county”, the words “the court of quarter sessions or by” and the words “or by a joint committee of the court of quarter sessions and the county council”. |
| 5 & 6 Eliz. 2. c. 46. | The Judicial Offices (Salaries and Pensions) Act 1957. | In section 1, subsection (1)(a), in subsection (2) the words “to a recorder” and subsection (6). Section 2. Schedule 1. |
| 5 & 6 Eliz. 2. c. 52. | The Geneva Conventions Act 1957. | In section 1(3) the words “Neither a court of quarter sessions”. |
| 5 & 6 Eliz. 2. c. 56. | The Housing Act 1957. | Section 14(6)(7). |
| 6 & 7 Eliz. 2. c. 55. | The Local Government Act 1958. | In section 38(2) the words “and a court of quarter sessions”. |
| 7 & 8 Eliz. 2. c. 5. | The Adoption Act 1958. | Section 31(5). |

| Chapter | Short Title | Extent of Repeal |
|----------------------------|---|---|
| 7 & 8 Eliz. 2. c. 22. | The County Courts Act 1959. | In section 2(2), the proviso. Sections 3 to 10. Sections 12 to 17. Section 24. Section 33. In section 34(1) the words from “so however” to the end of the subsection. In Schedule 2, paragraph 2(1). In section 60, subsections (1), (3), (4) and (5). Section 273(3). |
| 7 & 8 Eliz. 2. c. 25. | The Highways Act 1959. | In section 276, in subsection (1) the words from “the appeal” to the end of the subsection, and subsections (4), (7), (8) and (9). |
| 7 & 8 Eliz. 2. c. 72. | The Mental Health Act 1959. | Section 67(2). Section 68(3). Section 70(4). Section 115(3). |
| 10 & 11 Eliz. 2. c. 15. | The Criminal Justice Administration Act 1962. | Section 2. In section 3 subsections (3) and (5). Sections 4 to 10. Sections 14 to 18. Section 21(3). Schedule 4 except for the amendments (in Part I) of the South Staffordshire Stipendiary Justices Act 1899 and (in Part II) of section 24 of the Magistrates’ Courts Act 1952. |
| 1963 c. 2. | The Betting, Gaming and Lotteries Act 1963. | In Schedule 2, in paragraph 6, the words from “in accordance” to “1849”. In Schedule 3, in paragraph 13(2), the words from “in accordance” to “1849”. In Schedule 7, in paragraph 5, the words from “in accordance” to “1849”. In Schedule 6 paragraph 20. |
| 1963 c. 33. | The London Government Act 1963. | Section 19. |
| 1963 c. 37. | The Children and Young Persons Act 1963. | In Schedule 3 paragraphs 28 and 31. |
| 1964 c. 26. | The Licensing Act 1964. | Section 21(3). Subsections (1) and (2) of section 21. In section 38(e) the words “for the constitution, where requisite, of committees of quarter sessions as standing committees, and”. Section 154(2). |

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| Chapter | Title or Short Title | Extent of Repeal |
|----------------------|---|--|
| 1964 c. 26 —cont. | The Licensing Act 1964 | In Schedule 11, in paragraph 14, the words from the beginning to "be". |
| 1964 c. 42. | The Administration of Justice Act 1964. | Section 1. In section 2, in subsection (3) the words "quarter sessions" and "the clerk of the peace", and in subsection (4) the words from "and accordingly" to the end of the subsection. Sections 4 to 8. Section 10(5)(a). In section 13(2) the words "the chairman of the court of quarter sessions and" and the word "each". Section 23. In section 25, subsection (1), in subsection (2) the words "commissions of assize and", "quarter sessions", and "clerks of the peace" and subsections (3) and (4). In section 26 the words "quarter sessions". In section 28, in subsection (2)(a) the words "or clerk of the peace", subsection (2)(b) and in subsection (3) the words from "and clerk of the peace" to the end of the subsection. Section 29. Sections 34 and 35. Schedules 1 and 2. In Schedule 3 paragraphs 11, 14, 17, 22(1)(c), 23(1) and 28. Schedule 4. |
| 1964 c. 84. | The Criminal Procedure (Insanity) Act 1964. | In section 5(4), the words from "at the next" to "have been tried". |
| 1964 c. iv. | The City of London (Courts) Act 1964. | Sections 4 to 6. Section 8. Sections 9 to 11. Sections 13 and 14. In section 15 the words "and the assistant judge of the court", the words "and the assistant judge" and the proviso. Sections 16 to 21. |
| 1965 c. 66. | The Hire-Purchase Act 1965. | Section 50. |

| Chapter | Title or Short Title | Extent of Repeal |
|-------------|--|---|
| 1965 c. 69. | The Criminal Procedure (Attendance of Witnesses) Act 1965. | Section 3(3). Sections 5 and 6. Section 7(1). In Schedule 1, in paragraph 1 the words following "rules of court", in paragraph 2 the words "or, as the case may be, standing orders" and sub-paragraph (c). In Schedule 2, the amendments of the Quarter Sessions Act 1842, and of the Assizes Relief Act 1889. |
| 1966 c. 31. | The Criminal Appeal Act 1966. | In section 1(3) the words "of the Queen's Bench Division" and paragraph (g). Section 3(1). In Schedule 2 paragraph 5. |
| 1967 c. 9. | The General Rate Act 1967. | In section 7(1) the words "in accordance with the Quarter Sessions Act 1849" and the words "having jurisdiction in the rating district concerned". In section 9(5) the words "for the area where the rate was made". |
| 1967 c. 19. | The Private Places of Entertainment (Licensing) Act 1967. | In section 5(4) the words from "and section 31" to the end of the subsection. |
| 1967 c. 28. | The Superannuation (Miscellaneous Provisions) Act 1967. | In section 3(4) in paragraph (c), in sub-paragraph (iii) the words "9 or" and sub-paragraphs (vii) and (viii). |
| 1967 c. 56. | The Matrimonial Causes Act 1967. | In section 2(2) the words from "and may so provide" to the end of the subsection. |
| 1967 c. 58. | The Criminal Law Act 1967. | Section 8. Schedule 1. In Schedule 2, paragraph 1 and paragraph 15(2). |
| 1967 c. 80. | The Criminal Justice Act 1967. | In section 22(4) the words "a court of quarter sessions". In section 41, in subsection (1) the words "before which he appears or is brought" in the first place where they occur, in subsection (2) the words "having power to deal with him in respect of the suspended sentence" and subsection (3). In section 42(5) the words from "but if a warrant" to the end of the subsection. |

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| Chapter | Title or Short Title | Extent of Repeal |
|----------------------|---|--|
| 1967 c. 80 —cont. | The Criminal Justice Act 1967—cont. | In section 47, subsection (5), and in subsection (7) the words “and the clerk of the court”; Section 54(4). Section 56(7). In section 76(4), in paragraph (b) the words from “or any other court” to “1962” and in paragraph (c) the words from “or any other court” to “section 16”; In section 95, subsections (4) and (5). In section 104(1) the definition of “the clerk of the court”. |
| 1968 c. 5. | The Administration of Justice Act 1968. | Section 1(1)(b)(iii). |
| 1968 c. 19. | The Criminal Appeal Act 1968. | In section 8(1), the words from “and shall be tried” to the end of the subsection. In section 24(2) the words from “and the reference” to the end of the subsection. In section 39(3) the words from “and the reference” to the end of the subsection. In Schedule 5 the amendment of the Children and Young Persons Act 1933. |
| 1968 c. 27. | The Firearms Act 1968. | Section 44(2)(e). In Schedule 3, in Part I, paragraph 1. In Schedule 5, in Part I, the whole of the second column. |
| 1968 c. 60. | The Theft Act 1968. | Section 29(1). In Schedule 2, in Part III, the amendment of the Criminal Law Act 1967. |
| 1968 c. 63. | The Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968. | In section 1(4), the words “the Chancery Court of a County Palatine” and the words from “the Crown Court at Liverpool” to “quarter sessions”. |
| 1968 c. 69. | The Justices of the Peace Act 1968. | Section 1(8)(f). In Schedule 1, all except the entries (in all three columns) for stipendiary magistrates and the Commissioners and Assistant Commissioners of Police of the Metropolis. |

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| Chapter | Short Title | Extent of Repeal |
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| 1968 c. 69 —cont. | The Justices of the Peace Act 1968—cont. | In Schedule 3, paragraph 2(2), in paragraph 3, the words “quarter sessions” and “the clerk of the peace”, in paragraph 4, sub-paragraphs (1), (2) and (3) and paragraph 7. |
| 1969 c. 54. | The Children and Young Persons Act 1969. | Section 3(9). |
| 1969 c. 58. | The Administration of Justice Act 1969. | In section 12 subsection (2)(b) and in subsection (8) the words “or commissioner” and “or paragraph (b)”; Section 25(1)(a). |
| 1970 c. 31. | The Administration of Justice Act 1970. | Sections 7 and 8. Section 45(1). In Schedule 2, in paragraph 6 the amendments of sections 70, 109, 113, 115 and 116 of the Judicature Act 1925, and paragraph 10. In Schedule 9, paragraphs 8 and 21. |

ⓘ The repeal by this Schedule of any enactment in the Companies Clauses Consolidation Act 1845, or in any other Act enacted for incorporation in other Acts, shall extend so as to repeal that enactment as incorporated in any Act.

Status:

Point in time view as at 31/08/2000.

Changes to legislation:

Courts Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.