



# Administration of Justice Act 1977

## 1977 CHAPTER 38

### PART II

#### ENGLAND AND WALES

##### *Other provisions about courts*

#### 22 Membership of Rule Committees.

F1 .....

##### Textual Amendments

F1 S. 22 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 188, Sch. 10; S.I. 2005/910, art. 3(y)(aa)

#### 23 Jurisdiction of ancient courts.

(1) The following courts, namely—

- (a) any court of a description specified in Part I of Schedule 4 to this Act except—
  - (i) the Estray Court for the Lordship of Denbigh, and
  - (ii) the court leet for the Manor of Laxton, and
- (b) the courts specified in Part II of that Schedule,

being the courts which appear to the Lord Chancellor to have, but not to exercise, jurisdiction to hear and determine legal proceedings, shall cease to have any jurisdiction to hear and determine legal proceedings; but any such court may continue to sit and transact such other business, if any, as was customary for it immediately before the coming into force of this section, and in the case of the courts specified in Part III of Schedule 4 to this Act the business that is to be treated as having been customary shall (apart from business relating to the appointment of officers of the court) be the business specified in relation to that court in column 2 of that Part.

*Status: Point in time view as at 03/04/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1977, Cross Heading: Other provisions about courts. (See end of Document for details)*

- (2) The descriptions of courts in Part I of Schedule 4 to this Act include courts held for manors of which the Queen or the Duke of Cornwall is the lord.
- (3) Any jurisdiction—
- (a) of the Court of the Chancellor or Vice-Chancellor of Oxford University, and
  - (b) of the Cambridge University Chancellor’s Court,
- other than that which presently exists under the statutes of those universities, is hereby abolished.
- (4) The Lord Chancellor may [<sup>F2</sup>, after consulting the Lord Chief Justice,] by order make any incidental or transitional provision which he considers expedient in consequence of this section and may by such order provide—
- (a) for enabling any jurisdiction appearing to him to have been formerly exercised by a court specified in Part I or II of Schedule 4 to this Act to be exercised instead by the High Court, the Crown Court, a county court or a magistrates’ court; and
  - (b) for such amendments or repeals of provisions of any local Act as appear to him to be required in consequence of this section.
- (5) The power to make orders under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament; and any such order may be varied or revoked by a subsequent order made under the power.
- [<sup>F3</sup>(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

#### Textual Amendments

- F2** Words in s. 23(4) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 93(2)**; S.I. 2006/1014, **art. 2(a), Sch. 1 para. 11(e)**
- F3** S. 23(5) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 93(3)**; S.I. 2006/1014, **art. 2(a), Sch. 1 para. 11(e)**

**Status:**

Point in time view as at 03/04/2006.

**Changes to legislation:**

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