



Supreme Court Act 1981

CHAPTER 54

SUPREME COURT ACT 1981

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- 2 The Court of Appeal.
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- 4 The High Court.
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- 8 The Crown Court.

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Status: Point in time view as at 27/09/1999.

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33 Powers of High Court exercisable before commencement of action.
34 Power of High Court to order disclosure of documents, inspection of property etc. in proceedings for personal injuries or death.
35 Provisions supplementary to ss. 33 and 34.
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- 39 Execution of instrument by person nominated by High Court.
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- 41 Wards of court.
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- 43ZA Power of High Court to vary committal in default.
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- 47 Sentences and other orders of Crown Court when dealing with offenders.
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- 50 Power to award damages as well as, or in substitution for, injunction or specific performance.

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- 52 Costs in Crown Court.

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- 53 Distribution of business between civil and criminal divisions.

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- 56 Judges not to sit on appeal from their own judgments, etc.
- 56A Circuit judges not to sit on certain appeals.
- 56B Allocation of cases in criminal division.

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Sittings and vacations

57 Sittings and vacations.

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- 58 Calling into question of incidental decisions in civil division.
59 Form of judgment of court of criminal division.
60 Rules of court, and decisions of Court of Appeal, as to whether judgment or order is final or interlocutory.

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- 61 Distribution of business among Divisions.
62 Business of Patents, Admiralty and Commercial Courts.
63 Business assigned to specially nominated judges.
64 Choice of Division by plaintiff.
65 Power of transfer.

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66 Divisional courts of High Court.

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- 67 Proceedings in court and in chambers.
68 Exercise of High Court jurisdiction otherwise than by judges of that court.
69 Trial by jury.
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Sittings and vacations

71 Sittings and vacations.

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72 Withdrawal of privilege against incrimination of self or spouse in certain proceedings.

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- 73 General provisions.
74 Appeals and committals for sentence.

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- 75 Allocation of cases according to composition of court, etc.
76 Committal for trial: alteration of place of trial.
77 Committal for trial: date of trial.

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Sittings

78 Sittings.

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- 79 Practice and procedure in connection with indictable offences and appeals.
- 80 Process to compel appearance.
- 81 Bail.
- 82 Duties of officers of Crown Court.
- 83 Right of audience for solicitors in certain Crown Court centres.

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- 84 Power to make rules of court.
- 85 The Supreme Court Rule Committee.
- 86 The Crown Court Rule Committee.
- 86A Process for making rules of court under section 84
- 86B Rules to be made if required by Lord Chancellor
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- 89 Masters and registrars.
- 90 Official Solicitor.
- 91 Deputies and temporary appointments.

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- 92 Tenure of office.
- 93 Status of officers for purposes of salary and pension.
- 94
- 95 Property held by officers.

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- 96 Central Office.
- 97 Accountant General.

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- 98 Judges' clerks and secretaries.

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- 99 District registries.
- 100 District registrars.
- 101 Power of one district registrar to act for another.
- 102 Deputy district registrars.
- 103 Assistant district registrars.

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District probate registries

104 District probate registries.

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- 105 Applications.
- 106 Grants by district probate registrars.
- 107 No grant where conflicting applications.
- 108 Caveats.
- 109 Refusal of grant where capital transfer tax unpaid.
- 110 Documents to be delivered to Commissioners of Inland Revenue.
- 111 Records of grants.

Powers of court in relation to personal representatives

- 112 Summons to executor to prove or renounce.
- 113 Power of court to sever grant.
- 114 Number of personal representatives.
- 115 Grants to trust corporations.
- 116 Power of court to pass over prior claims to grant.
- 117 Administration pending suit.
- 118 Effect of appointment of minor as executor.
- 119 Administration with will annexed.
- 120 Power to require administrators to produce sureties.

Revocation of grants and cancellation of resealing at instance of court

- 121 Revocation of grants and cancellation of resealing at instance of court.

Ancillary powers of court

- 122 Examination of person with knowledge of testamentary document.
- 123 Subpoena to bring in testamentary document.

Provisions as to documents

- 124 Place for deposit of original wills and other documents.
- 125 Copies of wills and grants.
- 126 Depositories for wills of living persons.

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- 127 Probate rules.

Interpretation of Part V and other probate provisions

- 128 Interpretation of Part V and other probate provisions.

PART VI

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Miscellaneous provisions

- 129 Lords Commissioners to represent Lord Chancellor when Great Seal in commission.
- 130 Fees to be taken in Supreme Court.
- 131 Conveyancing counsel of Supreme Court.
- 132 Proof of documents bearing seal or stamp of Supreme Court or any office thereof.
- 133 Enrolment and engrossment of instruments.
- 134 Powers of attorney deposited before October 1971.
- 135 Bonds given under order of court.
- 136 Production of documents filed in, or in custody of, Supreme Court.
- 137 Money paid into court under enactment subsequently repealed.
- 138 Effect of writs of execution against goods.
- 138A Sales under executions.
- 138B Protection of officer selling goods under execution.
- 139 Attachment of National Savings Bank deposits.
- 140 Enforcement of fines and forfeited recognizances.
- 141 Abolition of certain writs.
- 142 Selection of judges for trial of election petitions.
- 143
- 144
- 145 Amendment of Courts-Martial (Appeals) Act 1968.
- 146 Amendment of Courts Act 1971.
- 147 Amendment of Solicitors Act 1974.
- 148 Amendment of Arbitration Act 1979.
- 149

Supplementary

- 150 Admiralty jurisdiction: provisions as to Channel Islands, Isle of Man, colonies etc.
- 151 Interpretation of this Act, and rules of construction for other Acts and documents.
- 152 Amendments of other Acts, transitional provisions, savings and repeals.
- 153 Citation, commencement and extent.

SCHEDULES

SCHEDULE 1 — Distribution of Business in High Court

Chancery Division

- 1 To the Chancery Division are assigned all causes and matters...

Queen's Bench Division

- 2 To the Queen's Bench Division are assigned—

Family Division

- 3 To the Family Division are assigned— (a) all matrimonial causes...

SCHEDULE 2 — List of Offices in Supreme Court for Purposes of Part IV

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- Part I
- Part II
- Part III

SCHEDULE 3 —

SCHEDULE 4 — Construction of References to Superseded Courts and Officers

General

- 1 (1) So much of any enactment as refers or relates...

The Accountants-General of the Courts of Chancery and Exchequer

- 2 Any enactment or document referring to the Accountant-General of the...

The Court of Criminal Appeal and its registrar

- 3 In any enactment or document passed or made before 1st...

Principal registrar of Family Division

- 4 In any enactment or document passed or made before the...

SCHEDULE 5 — Consequential Amendments

COLONIAL PROBATES ACT 1892 (c. 6)

In section 2(1), for “156A of the Supreme Court of...

.....
.....

ADMINISTRATION OF ESTATES ACT 1925 (c. 23)

In section 47A(7) (notices to principal registrar of Family Division)—...

LAW OF PROPERTY (AMENDMENT) ACT 1926 (c. 11)

In section 3(1), “for Supreme Court of Judicature (Consolidation) Act...

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT 1933 (c. 13)

- 1 In section 3(1), for “ninety-nine of the Supreme Court of...
- 2

ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1933 (c. 36)

Section 2(2)(b) shall continue to have effect with the amendments...

.....
.....

CRIMINAL JUSTICE ACT 1948 (c. 58)

In section 37(4), for “ninety-nine of the Supreme Court of...

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CONSULAR CONVENTIONS ACT 1949 (c. 29)

In section 1(4)— for “(1) of section one hundred and...

ARBITRATION ACT 1950 (c. 27)

In section 38(3), for “ninety-nine of the Supreme Court of...

ARMY ACT 1955 (c. 18)

Section 110(1) shall continue to have effect with the amendments...

AIR FORCE ACT 1955 (c. 19)

[Section 110(1) shall continue to have effect with the amendments...

.....
.....
.....
.....

PROFESSIONS SUPPLEMENTARY TO MEDICINE ACT 1960 (c. 66)

In paragraph 2(2) of Schedule 2, for “forty-nine of the...

NURSES (AMENDMENT) ACT 1961 (c. 14)

In section 9(2), for “forty-nine of the Supreme Court of...

RIVERS (PREVENTION OF POLLUTION) ACT 1961 (c. 50)

In section 6(5), for “twenty-seven of the Supreme Court of...

PUBLIC HEALTH ACT 1961 (c. 64)

.....

ADMINISTRATION OF JUSTICE ACT 1964 (c. 42)

In section 28 (exception of prerogative proceedings from general power...

ADMINISTRATION OF JUSTICE ACT 1965 (c. 2)

- 1 In section 4(1) (mode of effecting payment of money into...
- 2 In section 6 (mode of dealing with money in Supreme...
- 3 In section 18, in the definition of “Supreme Court”, for...

VETERINARY SURGEONS ACT 1966 (c. 36)

In paragraph 4(2) of Schedule 2, for “49 of the...

ARBITRATION (INTERNATIONAL INVESTMENT DISPUTES) ACT 1966 (c. 41)

In sections 1(6) and 2(2), for “99 of the Supreme...

MATRIMONIAL CAUSES ACT 1967 (c. 56)

In section 10(1), for the definition of “matrimonial cause” substitute—...

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CRIMINAL APPEAL ACT 1968 (c. 19)

- 1 In section 33 (right of appeal to House of Lords...
- 2 For subsection (1) of, and the side-note to, section 45...
- 3 In Schedule 2 (provisions applicable on order for retrial), paragraph...

HEARING AID COUNCIL ACT 1968 (c. 50)

In section 10(2), for “49 of the Supreme Court of...

HOVERCRAFT ACT 1968 (c. 59)

- 1 In section 1(1)(h)(i) (power to apply to hovercraft etc. enactments...
- 2 (1) Section 2 (Admiralty jurisdiction etc.) shall be amended as...
-
-

ADMINISTRATION OF ESTATES ACT 1971 (c. 25)

- 1 (1) Section 11 (sealing of Commonwealth and Colonial grants) shall...
- 2 In section 14(3), for “8” substitute “ 9 ”.

MISUSE OF DRUGS ACT 1971 (c. 38)

In paragraph 5(2) of Schedule 3, for “49 of the...

MERCHANT SHIPPING (OIL POLLUTION) ACT 1971 (c. 59)

In section 13(1) (extension of Admiralty jurisdiction in claims for...

TRIBUNALS AND INQUIRIES ACT 1971 (c. 62)

In section 13(2), for “27 of the Supreme Court of...
.....

LAND CHARGES ACT 1972 (c. 61)

In section 6(4) (effect of non-registration of writs and orders...

HEALTH AND SAFETY AT WORK ETC. ACT 1974 (c. 37)

In section 69(4), for “27 of the Supreme Court of...
.....

MERCHANT SHIPPING ACT 1974 (c. 43)

In section 6(1) (extension of Admiralty jurisdiction in claims for...

SOLICITORS ACT 1974 (c. 47)

- 1 In section 19(2), for “120 of the Supreme Court of...
- 2 After section 81 insert— Fees for administering oaths and taking...

HOUSE OF COMMONS DISQUALIFICATION ACT 1975 (c. 24)

In Part III of Schedule 1, in the entry beginning...

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NORTHERN IRELAND ASSEMBLY DISQUALIFICATION ACT 1975 (c. 25)

Part 111 of Schedule 1 shall have effect with the...

EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS) ACT 1975 (c. 34)

- 1 In section 4 (extension of powers of High Court etc....
- 2 In section 7, for “99 of the Supreme Court of...

FARRIERS (REGISTRATION) ACT 1975 (c. 35)

In paragraph 4(2) of Schedule 3, for “49 of the...

TORTS (INTERFERENCE WITH GOODS) ACT 1977 (c. 32)

In section 4— in subsection (4), for “99 of the...

INSURANCE BROKERS (REGISTRATION) ACT 1977 (c. 46)

In section 19(2), for “49 of the Supreme Court of...
.....

EMPLOYMENT PROTECTION (CONSOLIDATION) ACT 1978 (c. 44)

In paragraph 8(2) of Schedule 11, for “9 of the...

ARBITRATION ACT 1979 (c. 42)

In section 2(3), for “27 of the Supreme Court of...

CHARGING ORDERS ACT 1979 (c. 53)

In section 5(2), for “99 of the Supreme Court of...

MAGISTRATES’ COURTS ACT 1980 (c. 43)

- 1 After section 43 insert— Functions of magistrates’ court where a...
- 2 In section 87(2) for “penalty” substitute “ sum ”.

.....

JUDICIAL PENSIONS ACT 1981 (c. 20)

- 1 For subsection (2) of section 34 (county court registrars and...
- 2 Schedule 1 (pensions, etc. of certain judicial officers) shall be...

SCHEDULE 6 — Transitional Provisions and Savings

- 1

Continuity of appointments of officers

- 2 (1) Any person holding an office immediately before the commencement...

Tenure, etc. of certain officers

- 3
- 4
- 5 This Act, so far as it amends or repeals any...
- 6

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Inland Revenue affidavits

7 In relation to deaths occurring before 13th March 1975 (the...

Grants of representation made under provisions of 1925 Act not reproduced in this Act

8 Nothing in the repeals made by this Act shall affect—...

Minor executors

9 Any appointment of a minor as executor which, immediately before...

Administration bonds given before 1st January 1972

10 Nothing in this Act shall affect the continued operation of...

Grants and resealings liable to revocation or cancellation at instance of court

11 Section 121 applies whether the grant in question was made...

*Appeals from certain orders and decisions under
section 54(3) of Magistrates' Courts Act 1952*

12 In paragraph 3(d) of Schedule 1, the reference to an...

Interpretation

13 (1) In this Schedule “the 1925 Act” means the Supreme...

SCHEDULE 7 —

Status:

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