



Senior Courts Act 1981

1981 CHAPTER 54

PART III

PRACTICE AND PROCEDURE

THE CROWN COURT

Composition of court

73 General provisions.

- (1) Subject to the provisions of section 8(1)(c), 74 and 75(2) as respects courts comprising justices of the peace, all proceedings in the Crown Court shall be heard and disposed of before a single judge of that court.
- (2) [^{F1}Rules of court] may authorise or require a judge of the High Court, Circuit judge [^{F2}, Recorder or qualifying judge advocate], in such circumstances as are specified by the rules, at any stage to continue with any proceedings with a court from which any one or more of the justices initially constituting the court has withdrawn, or is absent for any reason.
- (3) Where a judge of the High Court, Circuit judge [^{F3}, Recorder or qualifying judge advocate] sits with justices of the peace he shall preside, and—
 - (a) the decision of the Crown Court may be a majority decision; and
 - (b) if the members of the court are equally divided, the judge of the High Court, Circuit judge [^{F3}, Recorder or qualifying judge advocate] shall have a second and casting vote.

Textual Amendments

- F1** Words in s. 73(2) substituted (1.9.2004) by [The Courts Act 2003 \(Consequential Amendments\) Order 2004 \(S.I. 2004/3175\)](#), art. 3, [Sch. para. 12\(b\)](#) (with art. 2(2))
- F2** Words in s. 73(2) substituted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), [Sch. 2 para. 2](#); [S.I. 2012/669](#), art. 4(c)

Status: Point in time view as at 02/04/2012.

Changes to legislation: Senior Courts Act 1981, Section 73 is up to date with all changes known to be in force on or before 04 October 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)

F3 Words in s. 73(3) substituted (2.4.2012) by Armed Forces Act 2011 (c. 18), s. 32(3), **Sch. 2 para. 2**; S.I. 2012/669, art. 4(c)

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