



# Administration of Justice Act 1982

## 1982 CHAPTER 53

### PART IX

#### GENERAL AND SUPPLEMENTARY

#### **73 Transitional provisions and savings.**

- (1) Subject to subsections (2) and (3) below, nothing in Part I of this Act or paragraphs 2 to 10 of Schedule 6 to this Act applies to causes of action which accrue before its commencement.
- (2) Section 6 above and paragraph 10 of Schedule 6 to this Act shall apply to actions whenever commenced, including actions commenced before the passing of this Act.
- (3) The provisions to which this subsection applies have effect where a person has died after the commencement of Part I of this Act.
- (4) The provisions of this Act to which subsection (3) above applies are—
  - (a) section 1;
  - (b) section 4(2); and
  - (c) paragraph 9(2) of Schedule 6.
- (5) Without prejudice to the provisions of Parts II and III of the <sup>M1</sup>Prescription and Limitation (Scotland) Act 1973, Part II of this Act shall apply to rights of action which accrued before, as well as rights of action which accrue after, the coming into operation of that Part of this Act; but nothing in Part II of this Act other than the repeal of section 5 of the <sup>M2</sup>Damages (Scotland) Act 1976 shall affect any proceedings commenced before that Part of this Act comes into operation.
- (6) Nothing in the following provisions of this Act—
  - (a) section 17;
  - (b) section 18(2);
  - (c) sections 19 to 22;
  - (d) section 75, so far as it relates—

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Section 73. (See end of Document for details)*

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- (i) to the <sup>M3</sup>Wills Act Amendment Act 1852; and
- (ii) to the <sup>M4</sup>Family Law Reform Act 1969,

affects the will of a testator who dies before the commencement of the provision in question.

(7) Neither section 18(1) above nor the repeal by this Act of section 177 of the <sup>M5</sup>Law of Property Act 1925 affects a will made before the commencement of section 18(1) above.

(8) Until Part VI of this Act comes into force—

(a) in section 1 of the <sup>M6</sup>Administration of Justice Act 1965—

- (i) in subsection (4), after the word “General” there shall be inserted the words “ and the Public Trustee ”; and
- (ii) the following subsection shall be inserted after that subsection—

“(4A) Where provision is made by a common investment scheme for the Public Trustee to hold shares in a common investment fund, he shall have the same power to invest trust money in shares in the fund as if they were investments specified in Part I of Schedule 1 to the Trustee Investments Act 1961.”; and

(b) in the <sup>M7</sup>County Courts Act 1959—

(i) —the following subsection shall be substituted for section 99(3)—

“(3) Subject to rules under section 168 of this Act, all moneys payable under a judgment or order shall be paid into court.”; and

(ii) the following paragraph shall be added at the end of section 168—

“(o) prescribing cases in which moneys payable under a judgment or order are to be paid by one party to the other party or his solicitor and regulating, in such cases as may be prescribed, the evidence of such payment.”.

(9) Nothing in paragraph 1 of Schedule 6 to this Act affects a cause of action accruing before that paragraph comes into force if an action in respect thereof has been begun before the paragraph comes into force.

#### Marginal Citations

- M1** 1973 c. 52.
- M2** 1976 c. 13.
- M3** 1852 c. 24.
- M4** 1969 c. 46.
- M5** 1925 c. 20.
- M6** 1965 c. 2.
- M7** 1959 c. 22.

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**Changes to legislation:**

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