



# Constitutional Reform Act 2005

## CHAPTER 4

### CONSTITUTIONAL REFORM ACT 2005

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## PART 4

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- 126 Complaints to the Commission or the Lord Chancellor
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### SCHEDULE 1 — Powers to make rules

#### Part 1 — THE PROCESS

##### *Interpretation*

- 1 In this Part “designated rules” means rules under another Act...

##### *The process*

- 2 (1) It is for the Lord Chief Justice, or a...
- 3 (1) The Lord Chief Justice, or his nominee, may make...
- 4 (1) Designated rules made by the Lord Chief Justice, or...
- 5 (1) This paragraph applies if the Lord Chancellor gives the...

#### Part 2 — RULE-MAKING POWERS SUBJECT TO THE PROCESS IN PART 1

##### *Trustee Act 1925 (c. 19)*

- 6 In section 54 of the Trustee Act 1925 (jurisdiction in...

##### *Administration of Justice (Miscellaneous Provisions) Act 1933 (c. 36)*

- 7 In section 2 of the Administration of Justice (Miscellaneous Provisions)...

##### *Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

- 8 (1) Section 5 of the Reserve and Auxiliary Forces (Protection...

##### *Courts-Martial (Appeals) Act 1968 (c. 20)*

- 9 (1) Section 49 of the Courts-Martial (Appeals) Act 1968 (rules...

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*Adoption Act 1976 (c. 36)*

- 10 In section 66 of the Adoption Act 1976 (rules of...

*Supreme Court Act 1981 (c. 54)*

- 11 The Supreme Court Act 1981 is amended as follows.  
12 (1) Section 127 (probate rules) is amended as follows.  
13 (1) Section 136 (production of documents filed in, or in...

*Mental Health Act 1983 (c. 20)*

- 14 The Mental Health Act 1983 is amended as follows.  
15 In section 108 (general provisions as to rules under Part...  
16 In section 143 (general provisions as to regulations, orders and...

*County Courts Act 1984 (c. 28)*

- 17 (1) Section 38 of the County Courts Act (remedies available...

*Matrimonial and Family Proceedings Act 1984 (c. 42)*

- 18 In section 40 of the Matrimonial and Family Proceedings Act...

*Coroners Act 1988 (c. 13)*

- 19 The Coroners Act 1988 is amended as follows.  
20 In section 11 (proceedings at inquest), for subsection (5)(c) substitute  
—...  
21 (1) Section 32 (power to make rules) is amended as...

*Family Law Act 1996 (c. 27)*

- 22 The Family Law Act 1996 is amended as follows.  
23 (1) For the title to section 12 substitute “ Rules...  
24 In section 65 (rules, regulations and orders), in subsection (5)...  
25 The power to amend or repeal enactments that is referred...

*Adoption and Children Act 2002 (c. 38)*

- 26 (1) The Adoption and Children Act 2002 is amended as...  
27 In section 141 (rules of procedure), in subsection (1) for...  
28 In section 142 (supplementary and consequential provision), in  
subsection (4)...

*Courts Act 2003 (c. 39)*

- 29 In section 76 of the Courts Act 2003 (further provision...

SCHEDULE 2 — Powers to give directions  
Part 1 — THE PROCESS

*Interpretation*

- 1 In this Part “designated directions” means directions under another Act...



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### *The process*

- 2 (1) It is for the Lord Chief Justice, or a...
  - 3 (1) The Lord Chief Justice, or his nominee, may make...
- Part 2 — POWERS OF DIRECTION SUBJECT TO THE PROCESS IN PART 1

### *Courts-Martial (Appeals) Act 1968 (c. 20)*

- 4 (1) Section 4 of the Courts-Martial (Appeals) Act 1968 is...

### *Supreme Court Act 1981 (c. 54)*

- 5 In section 124 of the Supreme Court Act 1981 (place...

### *Civil Procedure Act 1997 (c. 12)*

- 6 For section 5 of the Civil Procedure Act 1997 substitute—...

### *Courts Act 2003 (c. 39)*

- 7 The Courts Act 2003 is amended as follows.
- 8 (1) Section 74 (practice directions as to practice and procedure...
- 9 (1) Section 81 (practice directions relating to family proceedings) is...

## SCHEDULE 3 — Transfer of appointment functions to Her Majesty

### *District Judges*

- 1 (1) For section 6 of the County Courts Act 1984...
- 2 (1) For sections 100 and 101 of the Supreme Court...

### *High Court Masters and Registrars*

- 3 (1) Section 89 of the Supreme Court Act 1981 (c....
- 4 In section 93(2) of the Mental Health Act 1983 (c....

### *Senior District Judge (Chief Magistrate)*

- 5 In section 23 of the Courts Act 2003 (c. 39)...
- 6 In section 10A(2) of the Justices of the Peace Act...

## SCHEDULE 4 — Other functions of the Lord Chancellor and organisation of the courts

### Part 1 — AMENDMENTS

### *Ecclesiastical Licences Act 1533 (c. 21)*

- 1 (1) In section 11 of the Ecclesiastical Licences Act 1533...

### *Habeas Corpus Act 1679 (c. 2)*

- 2 The Habeas Corpus Act 1679 is amended as follows.
- 3 In section 1 (bringing before Lord Chancellor or other judges)...
- 4 In section 2 (appeal to Lord Chancellor or other judges)...
- 5 In section 9 (Lord Chancellor or other judge unduly denying...

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*Cestui que Vie Act 1707 (c. 72)*

- 6 Any reference to the Lord Chancellor and keeper or commissioners...

*Pluralities Act 1838 (c. 106)*

- 7 The Pluralities Act 1838 is amended as follows.  
8 (1) Section 126 (consent of patron etc. where patronage in...  
9 (1) Section 128 (consent of patron etc. where patronage attached...

...

- 10 .....  
11 .....  
12 .....

*Public Notaries Act 1843 (c. 90)*

- 13 (1) Section 5 of the Public Notaries Act 1843 (refusal...

*Inclosure Act 1859 (22 & 23 Vict. c. 43)*

- 14 In section 12 of the Inclosure Act 1859 (adaptation of...

*British Law Ascertainment Act 1859 (c. 63)*

- 15 In section 5 of the British Law Ascertainment Act 1859...

*Promissory Oaths Act 1871 (c. 48)*

- 16 (1) Section 2 of the Promissory Oaths Act 1871 (persons...

*Stannaries Court (Abolition) Act 1896 (c. 45)*

- 17 (1) Section 1 of the Stannaries Court (Abolition) Act 1896...

*Judicial Committee Act 1915 (c. 92)*

- 18 (1) Section 1 of the Judicial Committee Act 1915 (power...

*Administration of Justice Act 1925 (c. 28)*

- 19 (1) Section 22 of the Administration of Justice Act 1925...

*Children and Young Persons Act 1933 (c. 12)*

- 20 (1) Section 45 of the Children and Young Persons Act...

*Compensation (Defence) Act 1939 (c. 75)*

- 21 (1) The Compensation (Defence) Act 1939 is amended as follows....  
22 In section 18 (application to Scotland and Northern Ireland)—

*London Building Acts (Amendment) Act 1939 (c. xcvii)*

- 23 (1) Section 109 of the London Building Acts (Amendment) Act...

*Pensions Appeal Tribunals Act 1943 (c. 39)*

- 24 The Pension Appeal Tribunals Act 1943 is amended as follows....

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- 25 In section 6D (procedure in proceedings before Commissioner), after subsection...
- 26 Omit section 13 (application to Scotland).
- 27 Omit section 14 (application to Northern Ireland).
- 28 (1) The Schedule (constitution, jurisdiction and procedure of Tribunals) is...

*Agriculture Act 1947 (c. 48)*

- 29 The Agriculture Act 1947 is amended, or has effect, as...
- 30 In section 73 (establishment, constitution and procedure of Agricultural Land...
- 31 (1) The functions of the Lord Chancellor under section 75...
- 32 In section 108 (regulations and orders), in subsection (1) omit...
- 33 (1) Schedule 9 (constitution of Agricultural Land Tribunals) is amended...

*Lands Tribunal Act 1949 (c. 42)*

- 34 (1) Section 2 of the Lands Tribunal Act 1949 (members,...

*Registered Designs Act 1949 (c. 88)*

- 35 The Registered Designs Act 1949 is amended as follows.
- 36 (1) Section 27 (meaning of the court) is amended as...
- 37 (1) Section 28 (the Appeal Tribunal) is amended as follows....

*Courts-Martial (Appeals) Act 1951 (c. 46)*

- 38 The Courts-Martial (Appeals) Act 1951 is amended as follows.
- 39 In section 28 (provisions with respect to office of Judge...
- 40 In section 32 (tenure of office of Judge Advocate General...

*Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

- 41 (1) Section 5 of the Reserve and Auxiliary Forces (Protection...

*City of London (Guild Churches) Act 1952 (c. xxxviii)*

- 42 In Schedule 1 to the City of London (Guild Churches)...

*Pharmacy Act 1954 (c. 61)*

- 43 (1) In Schedule 1C to the Pharmacy Act 1954 (appeal...

*Mines and Quarries Act 1954 (c. 70)*

- 44 (1) Section 170 of the Mines and Quarries Act 1954...

*Land Powers (Defence) Act 1958 (c. 30)*

- 45 Schedule 2 to the Land Powers (Defence) Act 1958 (provisions...
- 46 (1) Paragraph 4 (inquiries into objections) is amended as follows....
- 47 (1) Paragraph 8 (application to court to challenge order) is...
- 48 Omit paragraphs 10 and 11 (modifications for application to Scotland...

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*Agriculture Act 1958 (c. 71)*

49 In the Agriculture Act 1958, in section 5 (functions under...

*Land Powers (Defence) Act (Inquiries) Rules 1958 (S.I. 1958/2231)*

50 (1) Rule 2 of the Land Powers (Defence) Act (Inquiries)...

*Mental Health Act 1959 (c. 72)*

51 In section 145 of the Mental Health Act 1959 (general...

*Administration of Justice Act 1960 (c. 65)*

52 In section 14 of the Administration of Justice Act 1960...

*Transport Act 1962 (c. 46)*

53 The Transport Act 1962 is amended as follows.

54 (1) Section 74 (Minister's power to make orders about pensions)...

55 (1) Section 81 (compensation to officers and servants of the...

56 (1) In Schedule 7 (transitional provisions) paragraph 17 is amended...

57 Schedule 11 (application to Northern Ireland) is amended as follows....

58 (1) Paragraph 6 (appointment of referee or board of referees)...

59 Omit paragraph 10.

*City of London (Courts) Act 1964 (c. iv)*

60 (1) Section 15 of the City of London (Courts) Act...

*Finance Act 1966 (c. 18)*

61 (1) In Schedule 1 to the Finance Act 1966 (reliefs...

*Courts-Martial (Appeals) Act 1968 (c. 20)*

62 (1) Section 5 of the Courts-Martial (Appeals) Act 1968 (constitution...

*Taxes Management Act 1970 (c. 9)*

63 The Taxes Management Act 1970 is amended as follows.

64 In section 2 (General Commissioners), after subsection (6) insert—

65 (1) Section 4 (Special Commissioners) is amended as follows.

*Administration of Justice Act 1970 (c. 31)*

66 (1) Section 10 of the Administration of Justice Act 1970...

*Courts Act 1971 (c. 23)*

67 The Courts Act 1971 is amended as follows.

68 In section 17 (retirement, removal and disqualification of Circuit judges),...

69 (1) Section 21 (appointment of Recorders) is amended as follows....

70 (1) Section 22 (oaths to be taken by Circuit judges...

71 (1) Section 24 (deputy Circuit judges and assistant Recorders) is...

72 In the table in paragraph 2 of Schedule 8 (general...

73 In Schedule 10 (transitional provisions), omit paragraphs 3 and 4....

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*Misuse of Drugs Act 1971 (c. 38)*

74 (1) Schedule 3 to the Misuse of Drugs Act 1971...

*Land Charges Act 1972 (c. 61)*

75 In section 16 of the Land Charges Act 1972 (general...

*Matrimonial Causes Act 1973 (c. 18)*

76 (1) Section 10A of the Matrimonial Causes Act 1973 (proceedings...

*Juries Act 1974 (c. 23)*

77 The Juries Act 1974 is amended as follows.

78 In section 5 (panels of persons summoned as jurors), after...

79 (1) Section 9AA (requirement to issue guidance) is amended as...

*Plant Varieties and Seeds Tribunal Rules 1974 (S.I. 1974/1136)*

80 (1) Rule 2 of the Plant Varieties and Seeds Tribunals...

*Industry Act 1975 (c. 68)*

81 (1) Schedule 3 to the Industry Act 1975 (tribunals to...

*Local Land Charges Act 1975 (c. 76)*

82 The Local Land Charges Act 1975 is amended as follows....

83 After section 13 insert— Specification of fees by registering authorities...

84 (1) Section 9 (official searches) is amended as follows.

85 (1) In section 14 (rules), for subsection (1)(h) substitute—

*Armed Forces Act 1976 (c. 52)*

86 (1) Section 6 of the Armed Forces Act 1976 (establishment...

*Race Relations Act 1976 (c. 74)*

87 (1) Section 67 of the Race Relations Act 1976 (sheriff...

*Rent (Agriculture) Act 1976 (c. 80)*

88 In section 26 of the Rent (Agriculture) Act 1976 (jurisdiction...

*Aircraft and Shipbuilding Industries Act 1977 (c. 3)*

89 (1) Section 42 of the Aircraft and Shipbuilding Industries Act...

*Patents Act 1977 (c. 37)*

90 The Patents Act 1977 is amended as follows.

91 (1) Section 97 (appeals from the comptroller) is amended as...

92 (1) Section 102A (right of audience etc in proceedings on...

*Administration of Justice Act 1977 (c. 38)*

93 (1) Section 23 of the Administration of Justice Act 1977...

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*Rent Act 1977 (c. 42)*

94 Omit section 142 of the Rent Act 1977 (rules as...

*National Health Service Act 1977 (c. 49)*

95 In Schedule 9A to the National Health Service Act 1977...

*Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)*

96 (1) Section 2 of the Domestic Proceedings and Magistrates' Courts...

*Customs and Excise Management Act 1979 (c. 2)*

97 In Schedule 3 to the Customs and Excise Management Act...

*Tobacco Products Duty Act 1979 (c. 7)*

98 (1) Section 5 of the Tobacco Products Duty Act 1979...

*Magistrates' Courts Act 1980 (c. 43)*

99 The Magistrates' Courts Act 1980 is amended as follows.  
100 (1) Section 3B (transfer of trials of summary offences) is...  
101 (1) Section 67 (Family Proceedings Courts) (as substituted by section...  
102 (1) Section 144 (rule committee and rules of procedure) is...  
103 After section 144 insert— Rules to be made if required...

*Housing Act 1980 (c. 51)*

104 In section 86 of the Housing Act 1980 (jurisdiction of...

*Pensions Appeal Tribunals (Posthumous Appeals) Order 1980 (S.I. 1980/1082)*

105 The Pensions Appeal Tribunals (Posthumous Appeals) Order 1980 is amended...  
106 In Article 6 (directions in relation to appeals brought or...  
107 In Article 10 (application to Scotland), omit paragraphs (b) and...  
108 In Article 11 (application to Northern Ireland)—

*Judicial Pensions Act 1981 (c. 20)*

109 The Judicial Pensions Act 1981 is amended as follows.  
110 In section 1 (interpretation) in the entry beginning “Judge of...  
111 (1) Section 5 (Circuit Judge in England and Wales) is...  
112 (1) Section 7 (stipendiary magistrates in England and Wales) is...  
113 (1) Section 13 (Social Security Commissioners) is amended as follows....

*Supreme Court Act 1981 (c. 54)*

114 The Supreme Court Act 1981 is amended as follows.  
115 (1) Section 2 (membership of the Court of Appeal) is...  
116 (1) Section 3 (Divisions of Court of Appeal) is amended...  
117 (1) Section 4 (membership of the High Court) is amended...  
118 (1) Section 5 (divisions of the High Court) is amended...  
119 (1) Section 6 (the Patents, Admiralty and Commercial Courts) is...  
120 (1) Section 7 (power to alter Divisions etc) is amended...

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- 121 (1) Section 9 (assistance for transaction of judicial business of...
- 122 (1) Section 10 (appointment of judges of Supreme Court) is...
- 123 (1) Section 11 (tenure of office) is amended as follows....
- 124 In section 12 (salaries etc of judges of Supreme Court),...
- 125 (1) Section 13 (precedence of judges of Supreme Court) is...
- 126 In section 44 (extraordinary functions of judges of High Court),...
- 127 In section 56B (allocation of cases in criminal division), in...
- 128 (1) Section 57 (Court of Appeal: sittings and vacations) is...
- 129 (1) Section 61 (distribution of business among Divisions) is amended...
- 130 (1) Section 63 (business assigned to specially nominated judges) is...
- 131 (1) Section 68 (exercise of jurisdiction of High Court otherwise...
- 132 (1) Section 71 (High Court: sittings and vacations) is amended...
- 133 (1) Section 74 (appeals and committals for sentence) is amended...
- 134 (1) Section 78 (Crown Court: sittings) is amended as follows....
- 135 (1) Section 82 (duties of officers of Crown Court) is...
- 136 Omit section 84(8) (rules of court for Crown Court etc...
- 137 (1) Section 86 (the Crown Court Rule Committee) is amended...
- 138 After section 86 insert— Process for making rules of court...
- 139 (1) Section 91 (deputies and temporary appointments) is amended as...
- 140 (1) Section 92 (tenure of office) is amended as follows....
- 141 (1) Section 96 (Central Office) is amended as follows.
- 142 In section 98 (judges' clerks and secretaries), in subsection (1)...
- 143 (1) Section 99 (district registries) is amended as follows.
- 144 (1) Section 104 (district probate registries) is amended as follows....
- 145 (1) Section 131 (conveyancing counsel of Supreme Court) is amended...
- 146 In section 151 (interpretation), in subsection (1) for the definition...

*Administration of Justice Act 1982 (c. 53)*

- 147 The Administration of Justice Act 1982 is amended as follows....
- 148 (1) Section 25 (regulations as to deposit and registration of...

*Representation of the People Act 1983 (c. 2)*

- 149 In section 161 of the Representation of the People Act...

*Mental Health Act 1983 (c. 20)*

- 150 The Mental Health Act 1983 is amended as follows.
- 151 (1) Section 93 (judicial authorities and Court of Protection) is...
- 152 In section 94 (exercise of the judge's functions: the patient),...
- 153 In section 96 (powers of the judge as to the...
- 154 In section 104 (general powers of the judge with respect...
- 155 In section 105 (appeals), in subsection (2) omit “from any...
- 156 (1) Section 108 (general provisions as to rules under Part...
- 157 (1) Section 111 (construction of references in other Acts) is...
- 158 (1) Schedule 2 (mental health review tribunals) is amended as...

*Pastoral Measure 1983 (1983 No. 1)*

- 159 (1) Section 81(2) of the Pastoral Measure 1983 (application to...

*County Courts Act 1984 (c. 28)*

- 160 The County Courts Act 1984 is amended as follows.

*Status: Point in time view as at 03/01/2012.*

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- 161 (1) Section 2 (county court districts etc) is amended as...
- 162 (1) Section 3 (places and times of sittings) is amended...
- 163 (1) Section 5 (judges of county courts) is amended as...
- 164 (1) Section 11 (tenure of office) is amended as follows....
- 165 In section 12 (records of proceedings to be kept by...
- 166 (1) Section 26 (districts for Admiralty purposes) is amended as...
- 167 In section 38 (remedies available in county courts), in subsection...
- 168 (1) Section 61 (right of audience by direction) is amended...
- 169 Omit section 74A (practice directions).
- 170 In section 145 (power to raise monetary limits), after subsection...

*Matrimonial and Family Proceedings Act 1984 (c. 42)*

- 171 The Matrimonial and Family Proceedings Act 1984 is amended as...
- 172 (1) Section 33 (jurisdiction of county courts in matrimonial cases)...
- 173 (1) Section 36 (assignment of circuit judges to family proceedings)...
- 174 (1) Section 42 (county court proceedings in principal registry of...

*Inheritance Tax Act 1984 (c. 51)*

- 175 The Inheritance Tax Act 1984 is amended as follows.
- 176 In section 256 (regulations about accounts etc), for subsection (3A)...
- 177 (1) Section 257 (form etc of accounts) is amended as...

*Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)*

- 178 (1) Schedule 2 to the Reserve Forces (Safeguard of Employment)...

*Transport Act 1985 (c. 67)*

- 179 (1) Schedule 4 to the Transport Act 1985 (constitution, powers...

*Housing Act 1985 (c. 68)*

- 180 The Housing Act 1985 is amended as follows.
- 181 Omit section 111 (secure tenancies: county court rules and directions)...
- 182 In section 181 (right to buy: jurisdiction of county court),...
- 183 In section 572 (assistance for owners of defective housing: jurisdiction...

*Merchant Shipping (Formal Investigations) Rules 1985 (S.I. 1985/1001)*

- 184 In rule 17 of the Merchant Shipping (Formal Investigations) Rules...

*Insolvency Act 1986 (c. 45)*

- 185 The Insolvency Act 1986 is amended as follows.
- 186 (1) Section 117 (High Court and county court jurisdiction) is...
- 187 (1) Section 374 (insolvency districts) is amended as follows.
- 188 (1) Section 411 (company insolvency rules) is amended as follows....
- 189 (1) Section 412 (individual insolvency rules (England and Wales) is...
- 190 (1) Section 413 (Insolvency Rules committee) is amended as follows....
- 191 (1) Section 420 (insolvent partnerships) is amended as follows.
- 192 (1) Section 421 (insolvent estates of deceased persons) is amended...

*Coroners Act 1988 (c. 13)*

- 193 The Coroners Act 1988 is amended as follows.



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- 194 (1) Section 3 (terms on which coroners hold office) is...  
195 In section 33 (savings), in subsection (2)(a) omit “the Lord...”

*Criminal Justice Act 1988 (c. 33)*

- 196 In Schedule 12 to the Criminal Justice Act 1988 (assessors...)

*Finance Act 1988 (c. 39)*

- 197 In section 134 (General Commissioners for Northern Ireland), omit subsection...

*Copyright, Designs and Patents Act 1988 (c. 48)*

- 198 The Copyright, Designs and Patents Act 1988 is amended as...  
199 (1) Section 146 (membership of the copyright tribunal) is amended...  
200 (1) Section 287 (patents county courts: special jurisdiction) is amended...  
201 (1) Section 291 (proceedings in patents county court) is amended...  
202 (1) Section 292 (rights and duties of registered patent agents...)

*Children Act 1989 (c. 41)*

- 203 The Children Act 1989 is amended as follows.  
204 (1) Section 7 (welfare reports) is amended as follows.  
205 (1) Section 92 (jurisdiction of the courts) is amended as...  
206 (1) Section 94 (appeals) is amended as follows.  
207 In section 96 (evidence given by, or with respect to,...  
208 (1) In section 97 (privacy for children involved in certain...  
209 (1) In Schedule 1 (financial provision for children), paragraph 5...  
210 (1) Schedule 11 (jurisdiction) is amended as follows.

*Courts and Legal Services Act 1990 (c. 41)*

- 211 The Courts and Legal Services Act 1990 is amended as...  
212 (1) Section 1 (allocation of business between High Court and...  
213 In section 9 (allocation of family proceedings which are within...  
214 (1) Section 11 (representation in certain county court cases) is...  
215 (1) Section 73 (delegation of certain administrative functions of Master...  
216 In section 119 (interpretation), in subsection (1) in the definition...

*Armed Forces Act 1991 (c. 62)*

- 217 In Schedule 1 to the Armed Forces Act 1991 (assessors...)

*Child Support Act 1991 (c. 48)*

- 218 The Child Support Act 1991 is amended as follows.  
219 (1) Section 8 (role of the courts with respect to...  
220 In section 45 (jurisdiction of courts in certain proceedings under...  
221 (1) Schedule 4 (Child Support Commissioners) is amended as follows....

*Land Drainage Act 1991 (c. 59)*

- 222 (1) Section 31 of the Land Drainage Act 1991 (composition...)

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*Tribunals and Inquiries Act 1992 (c. 53)*

- 223 The Tribunals and Inquiries Act 1992 is amended as follows....
- 224 In section 6 (appointment of chairmen of certain tribunals), omit...
- 225 (1) In section 7 (concurrence required for removal of members...

*Judicial Pensions and Retirement Act 1993 (c. 8)*

- 226 The Judicial Pensions and Retirement Act 1993 is amended as...
- 227 (1) Section 2 (the judicial officer's entitlement to a pension)...
- 228 (1) Section 26 (retirement date for holders of certain judicial...
- 229 In Schedule 1 (offices which may be qualifying judicial offices)...
- 230 In Schedule 5 (retirement provisions: the relevant offices), in the...

*Bail (Amendment) Act 1993 (c. 26)*

- 231 In section 1 of the Bail (Amendment) Act 1993 (prosecution...

*Welsh Language Act 1993 (c. 38)*

- 232 (1) Section 23 of the Welsh Language Act 1993 (oaths...

*Local Government (Wales) Act 1994 (c. 19)*

- 233 (1) Section 55 of the Local Government (Wales) Act 1994...
- 234 After subsection (5) insert— (6) The Lord Chief Justice may...

*Value Added Tax Act 1994 (c. 23)*

- 235 The Value Added Tax Act 1994 is amended as follows....
- 236 In section 86 (appeals to the Court of Appeal), after...
- 237 (1) Schedule 12 (constitution and procedure of VAT tribunals) is...

*Trade Marks Act 1994 (c. 26)*

- 238 In section 77 of the Trade Marks Act 1994 (persons...

*Merchant Shipping Act 1995 (c. 21)*

- 239 In section 297 of the Merchant Shipping Act 1995 (wreck...

*Reserve Forces Act 1996 (c. 14)*

- 240 The Reserve Forces Act 1996 is amended as follows.
- 241 In section 90 (appointment of panel of chairmen), after subsection...
- 242 In section 91 (appointment of panel of ordinary members), after...
- 243 (1) Section 92 (membership of tribunals etc) is amended as...
- 244 After section 92 insert— Sections 90 to 92: supplementary (1) In sections 90 and 91 “appropriate senior judge”, in...

*Employment Tribunals Act 1996 (c. 17)*

- 245 The Employment Tribunals Act 1996 is amended as follows.
- 246 (1) Section 22 (membership of appeal tribunal) is amended as...
- 247 (1) Section 23 (temporary membership) is amended as follows.
- 248 (1) Section 24 (temporary additional judicial membership) is amended as...
- 249 In section 25 (tenure of appointed members) after subsection (4)...

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*Arbitration Act 1996 (c. 23)*

250 In section 105 of the Arbitration Act 1996 (jurisdiction of...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

251 In section 19 of the Criminal Procedure and Investigations Act...

*Family Law Act 1996 (c. 27)*

252 The Family Law Act 1996 is amended as follows.

253 (1) Section 57 (jurisdiction of the courts) is amended as...

254 (1) Section 61 (appeals) is amended as follows.

*Defamation Act 1996 (c. 31)*

255 In section 9 of the Defamation Act 1996 (meaning of...

*Housing Act 1996 (c. 52)*

256 The Housing Act 1996 is amended as follows.

257 In section 138 (introductory tenancies: jurisdiction of county court), omit...

258 In section 143N (demoted tenancies: jurisdiction of county court), omit...

*Education Act 1996 (c. 56)*

259 In section 334 of the Education Act 1996 (Special Educational...

*Deregulation (Model Appeal Provisions) Order 1996 (S.I. 1996/1678)*

260 In the Schedule (model rules for appeals) to the Deregulation...

*Civil Procedure Act 1997 (c. 12)*

261 The Civil Procedure Act 1997 is amended as follows.

262 In section 1 (civil procedure rules), in subsection (3) (as...

263 (1) Section 2 (Civil Procedure Rule Committee) is amended as...

264 (1) Section 2A (power to change certain requirements relating to...

265 (1) Section 3 (process for making Civil Procedure rules) (as...

266 After section 3 insert— Rules to be made if required...

267 (1) Section 4 (power to make consequential amendments) (as amended...

268 (1) Section 6 (Civil Justice Council) is amended as follows....

*Plant Varieties Act 1997 (c. 66)*

269 (1) Schedule 3 to the Plant Varieties Act 1997 (Plant...

*Reserve Forces Appeal Tribunals Rules 1997 (S.I. 1997/798)*

270 (1) Rule 7 of the Reserve Forces Appeal Tribunals Rules...

*Social Security Act 1998 (c. 14)*

271 The Social Security Act 1998 is amended as follows.

272 (1) Section 6 (panel for appointment to appeal tribunals) is...

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273 In Schedule 1 (Appeal Tribunals: supplementary provisions), in paragraph 1(3)...

274 In Schedule 4 (Social Security Commissioners), in paragraph 5 (removal)...

*Data Protection Act 1998 (c. 29)*

275 (1) Schedule 6 to the Data Protection Act 1998 (appeal...

*Crime and Disorder Act 1998 (c. 37)*

276 The Crime and Disorder Act 1998 (powers of magistrates' courts...

277 (1) Section 10 (appeals against parenting orders) is amended as...

*Human Rights Act 1998 (c. 42)*

278 In section 18 of the Human Rights Act 1998 (appointment...

*Access to Justice Act 1999 (c. 22)*

279 The Access to Justice Act 1999 is amended as follows....

280 (1) Section 56 (power to prescribe alternative destination of appeals)...

281 (1) Section 68 (judges holding office in European or international...

282 (1) Section 69 (Vice-President of Queen's Bench division) is amended...

*Immigration and Asylum Act 1999 (c. 33)*

283 The Immigration and Asylum Act 1999 is amended as follows....

284 (1) Section 53 (applications for bail in immigration cases) is...

285 In Schedule 7 (Immigration Services Tribunal), in paragraph 3 (terms...

*Financial Services and Markets Act 2000 (c. 8)*

286 (1) Schedule 13 (Financial Services and Markets Tribunal) of the...

*Terrorism Act 2000 (c. 11)*

287 The Terrorism Act 2000 is amended as follows.

288 (1) Section 74 (court for trial) is amended as follows....

289 (1) In Schedule 3 (Proscribed Organisations Appeal Commission), paragraph 4...

290 (1) Schedule 8 (detention) is amended as follows.

*Local Government Act 2000 (c. 22)*

291 (1) Section 76 of the Local Government Act 2000 (case...

*Postal Services Act 2000 (c. 26)*

292 (1) Schedule 3 to the Postal Services Act 2000 (transfer...

*Transport Act 2000 (c. 38)*

293 The Transport Act 2000 is amended as follows.

294 In section 61 (special provisions about land), in subsection (6)(c)...

295 In section 93 (control in time of hostilities etc), in...

296 In section 94 (orders for possessions of aerodromes etc), in...

297 (1) Schedule 6 (transfer schemes) is amended as follows.

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*Criminal Justice and Court Services Act 2000 (c. 43)*

298 (1) Schedule 1 of the Criminal Justice and Court Services...

*International Criminal Court Act 2001 (c. 17)*

299 Section 26 of the International Criminal Court Act 2001 (definitions)...

*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

300 (1) In Schedule 6 to the Anti-terrorism, Crime and Security...

*Land Registration Act 2002 (c. 9)*

301 The Land Registration Act 2002 is amended as follows.

302 (1) Section 127 (exercise of powers) is amended as follows....

303 In Schedule 9 (the Adjudicator), in paragraph 1 (holding of...

*Enterprise Act 2002 (c. 40)*

304 The Enterprise Act 2002 is amended as follows.

305 (1) Section 268 (disqualification from office: general) is amended as...

306 In paragraph 2 of Schedule 2 (tenure of members of...

*Finance Act 2003 (c. 14)*

307 (1) Schedule 17 to the Finance Act 2003 (stamp duty...

*Courts Act 2003 (c. 39)*

308 The Courts Act 2003 is amended as follows.

309 (1) In section 2 (Court officers, staff and services), in...

310 (1) Section 4 (establishment of courts boards) is amended as...

311 (1) Section 5 (functions of courts boards) is amended as...

312 (1) Section 8 (local justice areas) is amended as follows....

313 (1) Section 10 (appointment of lay justices etc) is amended...

314 In section 11 (resignation and removal of lay justices), in...

315 (1) Section 13 (entry of names in the supplemental list)...

316 In section 14 (removal of names from the supplemental list),...

317 (1) Section 15 (lay justices' allowances) is amended as follows....

318 In section 16 (records of lay justices), after subsection (3)...

319 (1) Section 17 (chairman and deputy chairmen) is amended as...

320 (1) Section 19 (training, development and appraisal of lay justices)...

321 (1) Section 20 (rules) is amended as follows.

322 (1) Section 21 (duty to consult lay justices on matters...

323 In section 22 (appointment of District Judges (Magistrates' Courts)), in...

324 In section 24 (Deputy District Judges (Magistrates' Courts)), in subsection...

325 (1) Section 25 (District Judges (Magistrates' Courts) as justices of...

326 (1) Section 27 (justices' clerks and assistant clerks) is amended...

327 (1) Section 28 (functions) is amended as follows.

328 (1) Section 30 (places, dates and times of sittings) is...

329 (1) Section 34 (costs in legal proceedings) is amended as...

330 For section 62 substitute— Head and Deputy Head of Civil...

331 (1) Section 64 (power to alter judicial titles) is amended...

332 In section 69 (Criminal Procedure Rules), in subsection (4) omit...

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- 333 (1) Section 70 (Criminal Procedure Rule Committee) is amended as...
- 334 (1) Section 71 (power to change certain requirements relating to...
- 335 (1) Section 72 (process for making Criminal Procedure Rules) is...
- 336 After section 72 insert— Rules to be made if required...
- 337 (1) Section 73 (power to amend legislation in connection with...
- 338 In section 75 (Family Procedure Rules), in subsection (5) omit...
- 339 (1) Section 77 (Family Procedure Rule Committee) is amended as...
- 340 (1) Section 78 (power to change certain requirements relating to...
- 341 (1) Section 79 (process for making Family Procedure Rules) is...
- 342 After section 79 insert— Rules to be made if required...
- 343 (1) Section 80 (power to amend legislation in connection with...
- 344 (1) Section 81 (practice directions relating to family proceedings) is...
- 345 In section 92 (fees), in subsection (5) for paragraphs (c)...
- 346 (1) Section 102 (power to alter judicial titles: Northern Ireland)...
- 347 In section 107 (interpretation), in subsection (6) omit “by the...
- 348 In section 108 (rules, regulations and orders), in subsections (1)...
- 349 (1) Section 109 (minor and consequential amendments etc) is amended...
- 350 (1) Schedule 1 (constitution and procedure of courts boards) is...
- 351 In Schedule 7 (High Court writs of execution), in paragraph...

*Extradition Act 2003 (c. 41)*

- 352 The Extradition Act 2003 is amended as follows.
- 353 (1) Section 67 (the appropriate judge) is amended as follows....
- 354 (1) Section 139 (the appropriate judge) is amended as follows....
- 355 In section 185 (free legal aid: supplementary), in subsection (6)...

*Criminal Justice Act 2003 (c. 44)*

- 356 The Criminal Justice Act 2003 is amended as follows.
- 357 (1) Section 167 (Sentencing Guidelines Council) is amended as follows....
- 358 (1) Section 168 (Sentencing Guidelines Council: supplementary) is amended as...
- 359 (1) Section 330 (orders and rules) is amended as follows....

*Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I. 2004/ 1861)*

- 360 In regulation 4 of the Employment Tribunals (Constitution and Rules...  
Part 2 — AMENDMENTS OF OR RELATING TO ENACTMENTS REPEALED OR  
AMENDED OTHERWISE THAN BY THIS ACT

*Introduction*

- 361 (1) This Part of this Schedule contains amendments of or...

*Promissory Oaths Act 1871 (c. 48)*

- 362 (1) Section 2 of the Promissory Oaths Act 1871 (persons...

*Children and Young Persons Act 1933 (c. 12)*

- 363 (1) Schedule 2 to the Children and Young Persons Act...

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*Pensions Appeal Tribunals Act 1943 (c. 39)*

364 (1) Section 6 of the Pensions Appeal Tribunal Act 1943...

*Maintenance Orders Act 1950 (c. 37)*

365 (1) In section 25(1) of the Maintenance Orders Act 1950...

*Courts Act 1971 (c. 23)*

366 (1) In section 27 of the Courts Act 1971, in...

*Restrictive Practices Court Act 1976 (c. 33)*

367 The Restrictive Practices Court Act 1976 is amended as follows....

368 (1) In section 1 (the Court), after subsection (3) insert—...

369 (1) Section 2 (judges of the Court) is amended as...

370 (1) Section 3 (non-judicial members) is amended as follows.

371 (1) Section 4 (provision for additional judges or members) is...

372 (1) Section 6 (administration) is amended as follows.

373 (1) In section 9 (procedure), in subsection (1) for “Lord...

*Magistrates' Courts Act 1980 (c. 43)*

374 The Magistrates' Courts Act 1980 is amended as follows.

375 (1) Section 67 (family proceedings courts and panels) is amended...

376 (1) Section 68 (combined family panels) is amended as follows....

377 (1) In section 146 (rules relating to youth court panels)...

*Supreme Court Act 1981 (c. 54)*

378 (1) Section 130 of the Supreme Court Act 1981 (fees...

*Matrimonial and Family Proceedings Act 1984 (c. 42)*

379 The Matrimonial and Family Proceedings Act 1984 is amended as...

380 (1) Section 40 (family proceedings rules) is amended as follows....

381 (1) After section 40 insert— Process for making rules of...

*Railways Act 1993 (c. 43)*

382 The Railways Act 1993 is amended as follows.

383 (1) In section 91 (transfer schemes: general), in subsection (7)(c)...

384 (1) Schedule 8 (transfers by transfer scheme) is amended as...

*Civil Procedure Act 1997 (c. 12)*

385 (1) Section 2 of the Civil Procedure Act 1997 (Civil...

*Justices of the Peace Act 1997 (c. 25)*

386 (1) The Justices of the Peace Act 1997 is amended...

387 (1) Section 1 (Commission areas) is amended as follows.

388 (1) Section 4 (petty sessions areas) is amended as follows....

389 In section 5 (appointment and removal of justices of the...

390 (1) Section 6 (residence qualification) is amended as follows.

391 In section 7 (supplemental list for England and Wales), in...

392 In section 8 (removal of name from supplemental list), in...

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- 393 (1) Section 9 (effect of entry of name in supplemental...
- 394 In section 10A (appointment and tenure), in subsection (3) after...
- 395 In section 10B (deputies), in subsection (2) after “Lord Chancellor”...
- 396 (1) Section 10C (status) is amended as follows.
- 397 (1) Section 24 (rules as to chairmanship and size of...
- 398 In section 25 (records of justices of the peace) after...
- 399 (1) Section 26 (Greater Manchester, Merseyside and Lancashire) is amended...
- 400 (1) Section 27A (magistrates' courts committees) is amended as follows....
- 401 (1) Section 27B (alteration of committee areas) is amended as...
- 402 (1) Section 33 (alteration of petty sessions areas) is amended...
- 403 (1) Section 53A (costs in legal proceedings) is amended as...
- 404 (1) Section 54 (indemnification of justices and justices' clerks) is...
- 405 (1) Section 64 (training courses) is amended as follows.

*Data Protection Act 1998 (c. 29)*

- 406 (1) Paragraph 3 of Schedule 6 to the Data Protection...

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

- 407 (1) In Schedule 5 to the Nationality, Immigration and Asylum...

SCHEDULE 5 — Functions under legislation relating to Northern Ireland  
Part 1 — AMENDMENTS

*Land Law (Ireland) Act 1896 (c. 47)*

- 1 (1) Section 24 of the Land Law (Ireland) Act 1896...

*Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))*

- 2 The Coroners Act (Northern Ireland) 1959 is amended as follows....
- 3 In section 2 (appointment of coroners), after subsection (1) insert—...
- 4 (1) Section 3 (power to amalgamate districts) is amended as...
- 5 (1) Section 6 (coroner to hold inquests in district in...
- 6 (1) Section 36 is amended as follows.

*County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))*

- 7 The County Courts Act (Northern Ireland) 1959 is amended as...
- 8 In section 102 (appointment and assignment of judges), in subsections...
- 9 In section 105 (tenure and oaths of office and retirement...
- 10 In section 107 (deputy judges), in subsection (4) omit “Lord...
- 11 In section 116 (pensions of judges), after subsection (5) insert—...

*Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c. 2 (N.I.))*

- 12 The Resident Magistrates' Pensions Act (Northern Ireland) 1960 is amended...
- 13 In section 1 (retiring age of resident magistrates), omit “Lord...
- 14 In section 2 (pensions of resident magistrates), after subsection (6)...
- 15 Omit section 11 (resident magistrates already serving).



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*Magistrates' Courts Act (Northern Ireland) 1964 (c. 21 (N.I.))*

16 In section 9 of the Magistrates' Courts Act (Northern Ireland)...

*Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))*

17 In section 2 of the Lands Tribunal and Compensation Act...

*Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))*

18 (1) Schedule 2 to the Children and Young Persons Act...

*Land Registration Act (Northern Ireland) 1970 (c. 18 (N.I.))*

19 In section 85 of the Land Registration Act (Northern Ireland)...

*Misuse of Drugs Tribunal (Northern Ireland) Rules 1974 (S.R. 1974/256)*

20 (1) Rule 2 of the Misuse of Drugs Tribunal (Northern...)

*Social Security (Northern Ireland) Act 1975 (c. 15)*

21 (1) Schedule 10 to the Social Security (Northern Ireland) Act...

*Judicature (Northern Ireland) Act 1978 (c. 23)*

22 The Judicature (Northern Ireland) Act 1978 is amended as follows....

23 (1) Section 7 (further assistance for transaction of judicial business)...

24 (1) Section 47 (exercise of jurisdiction by Crown Court) is...

25 In section 48 (committal for trial on indictment), in subsection...

26 In section 52 (Crown Court rules), in subsection (1) for...

27 (1) Section 53 (membership of the Crown Court Rules Committee)...

28 After section 53 insert— Making of Crown Court rules (1) It is for the  
Crown Court Rules Committee to...

29 (1) Section 55 (rules of court) is amended as follows....

30 After section 55 insert— Making of rules of Court (1) It is for the Rules  
Committee to make rules...

31 (1) Section 58 (sittings of High Court and Court of...

32 (1) Section 60 (taxation of costs) is amended as follows....

33 (1) Section 68 (departments of the Supreme Court) is amended...

34 In section 71 (tenure of office of statutory officers), in...

35 (1) Section 75 (Official Solicitor) is amended as follows.

36 (1) Section 103 (appointment of justices of the peace) is...

37 Omit section 104 (under-sheriffs).

38 (1) Section 112 (oaths and affidavits) is amended as follows....

39 In section 119 (making and control of subordinate legislation), in...

40 (1) Schedule 6 (transitional provisions) is amended as follows.

*Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15))*

41 (1) Article 48 (the court) is amended as follows.

*Reserve and Auxiliary Forces (Protection of Civil  
Interests) (Northern Ireland) Order 1979 (S.I. 1979/291)*

42 (1) Article 7 of the Reserve and Auxiliary Forces (Protection...

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*Administration of Estates (Northern Ireland) Order 1979 (S.I. 1979/1575 (N.I. 14))*

- 43 The Administration of Estates (Northern Ireland) Order 1979 is amended...
- 44 (1) Article 20 (inheritance tax accounts) is amended as follows....
- 45 (1) Article 23 (keeping and inspection of wills and other...
- 46 (1) Article 24 (records of grants) is amended as follows....
- 47 (1) Article 26 (copies of wills etc to be delivered...

*County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 3))*

- 48 The County Courts (Northern Ireland) Order 1980 is amended as...
- 49 In Article 2 (interpretation), in paragraph (5) omit“on the Lord...
- 50 In Article 3 (county courts to be held for divisions),...
- 51 In Article 4 (directions as to holding of courts), for...
- 52 In Article 5 (directions for courts to sit otherwise in...
- 53 (1) Article 6 (appointment of days for holding of ordinary...
- 54 In Article 7 (additional and extraordinary sittings), in paragraphs (1)...
- 55 In Article 22 (power to increase civil jurisdiction of county...
- 56 In Article 46 (as amended by section 73(2) of the...
- 57 In Article 47 (making of county court rules) for paragraphs...
- 58 In Article 56 (swearing of affidavits before designated court officer),...
- 59 In Article 58 (furnishing of information by certain officers), at...

*Domestic Proceedings (Northern Ireland) Order 1980 (S.I. 1980/563 (N.I. 5))*

- 60 (1) Article 4 of the Domestic Proceedings (Northern Ireland) Order...

*Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))*

- 61 The Magistrates' Courts (Northern Ireland) Order 1981 is amended as...
- 62 (1) Article 6A (costs in legal proceedings) is amended as...
- 63 (1) Article 11 (petty sessions and petty sessions districts) is...
- 64 In Article 12 (holding of petty sessions in courthouse), in...
- 65 (1) Article 13 (magistrates' courts rules) is amended as follows....
- 66 Omit Article 14 (recommendations by Rules Committee to Lord Chancellor)....
- 67 In Article 15 (rules under or for the purpose of...
- 68 In Article 37 (discharge or committal for trial), in paragraph...
- 69 In Article 168 (directions), omit “on the Lord Chancellor”.

*Pensions Appeal Tribunals (Northern Ireland) Rules 1981 (S.R. 1981/231)*

- 70 The Pensions Tribunals (Northern Ireland) Rules 1981 is amended as...
- 71 In rule 2 (interpretation), in paragraph (1)—
- 72 In rule 2A (functions of the President), in paragraph (2)...

*Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))*

- 73 The Mental Health (Northern Ireland) Order 1986 is amended as...
- 74 (1) Article 83 (procedure of tribunal) is amended as follows....
- 75 (1) Schedule 3 (Mental Health Review Tribunal for Northern Ireland)...
- 76 In Schedule 6 to the Mental Health (Northern Ireland) Order...

*Status: Point in time view as at 03/01/2012.*

*Changes to legislation: Constitutional Reform Act 2005 is up to date with all changes known to be in force on or before 29 June 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)*

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*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

- 77 The Police and Criminal Evidence (Northern Ireland) Order 1989 is...
- 78 In Article 80A (evidence through live links), in paragraph (6)...
- 79 In Article 81 (evidence through television links), in paragraph (8)...

*Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))*

- 80 The Insolvency (Northern Ireland) Order 1989 is amended as follows....
- 81 In Article 359 (insolvency rules), after paragraph (1) insert—
- 82 (1) Article 360 (committee to review insolvency rules) is amended...
- 83 (1) Article 364 (insolvent partnerships) is amended as follows.
- 84 (1) Article 365 (insolvent estates of deceased persons) is amended...

*Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))*

- 85 The Child Support (Northern Ireland) Order 1991 is amended as...
- 86 (1) Article 10 (role of the courts with respect to...
- 87 (1) Article 42 (jurisdiction of courts in certain proceedings under...

*Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (N.I. 20))*

- 88 (1) In the Registered Homes (Northern Ireland) Order 1992, Article...

*Family Law (Northern Ireland) Order 1993 (S.I. 1993/1575 (N.I. 6))*

- 89 The Family Law (Northern Ireland) Order 1993 is amended as...
- 90 (1) Article 12 (family proceedings rules) is amended as follows....
- 91 After Article 12 insert— Making of family proceedings rules (1) After making family proceedings rules the Committee must submit...
- 92 (1) In Schedule 2 (Northern Ireland Family Proceedings Rules Committee),...

*Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))*

- 93 The Children (Northern Ireland) Order 1995 is amended as follows....
- 94 In Article 4 (reports on child's welfare), in paragraph (2)...
- 95 In Article 60 (representation of child and his interests in...
- 96 In Article 166 (appeals), in paragraph (14) after “Lord Chancellor...
- 97 In Article 169 (evidence given by, or with respect to,...
- 98 In Article 170 (privacy for children involved in certain proceedings),...
- 99 After Article 181 insert— Delegation of functions by Lord Chief...
- 100 In paragraph 6 of Schedule 1 (financial provision for children:...
- 101 (1) Schedule 7 (commencement of proceedings) is amended as follows....

*Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))*

- 102 (1) In the Education (Northern Ireland) Order 1996, Article 22...

*Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. 1997/269)*

- 103 (1) The Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997...

*Status: Point in time view as at 03/01/2012.*

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*Northern Ireland Act 1998 (c. 47)*

- 104 The Northern Ireland Act 1998 is amended as follows.  
105 In section 90 (effect of certificates), in subsection (2) for...  
106 (1) Section 91 (the National Security Certificates Tribunal) is amended...  
107 (1) Section 92 (appeals from the Tribunal) is amended as...  
108 (1) In Schedule 11 (tribunal established under section 91 of...

*Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I. 6))*

- 109 The Family Homes and Domestic Violence (Northern Ireland) Order 1998...  
110 (1) Article 34 (jurisdiction of courts and procedure) is amended...  
111 (1) Article 39 (appeals) is amended as follows.

*Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))*

- 112 In Article 27 of the Criminal Justice (Children) (Northern Ireland)...

*Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))*

- 113 (1) In the Social Security (Northern Ireland) Order 1998, Article...

*Criminal Evidence (Northern Ireland) Order 1999 (S.I. 1999/2789 (N.I. 8))*

- 114 In Article 12 of the Criminal Evidence (Northern Ireland) Order...

*Justice (Northern Ireland) Act 2002 (c. 26)*

- 115 (1) The Justice (Northern Ireland) Act 2002 is amended as...  
116 In section 8 (tribunals for considering removal), in subsection (7)...  
117 (1) Section 9 (appointment of lay magistrates) is amended as...  
118 In section 10 (transfer of functions of justices of the...  
119 In section 12 (role of the Lord Chief Justice), omit...  
120 (1) In section 24 (removal of Attorney General), in subsection...  
121 In section 43 (appointment and removal of Director of Public...  
122 (1) Schedule 1 (listed judicial offices) is amended as follows...  
123 (1) Schedule 3 (appointment to listed judicial offices) is amended...  
124 (1) Schedule 4 (functions of justices of the peace) is...  
125 Omit Schedule 5 (transfer of functions to Lord Chief Justice)...  
126 (1) Schedule 6 (office-holders required to take judicial oath) is...  
127 In Schedule 12 (minor and consequential amendments), after paragraph 81...  
128 (1) Schedule 13 (repeals and revocations) is amended as follows....

*Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9))*

- 129 (1) In Schedule 2 to the Health and Personal Social...

*Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2004 (S.R. 2004/165)*

- 130 (1) Regulation 5 of the Industrial Tribunals (Constitution and Rules...

*Status: Point in time view as at 03/01/2012.*

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Part 2 — AMENDMENTS RELATING TO ENACTMENTS REPEALED OR  
AMENDED OTHERWISE THAN BY THIS ACT

*Introduction*

131 (1) This Part of this Schedule contains amendments of or...

*Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))*

132 (1) Schedule 2 to the Children and Young Persons Act...

*Administration of Estates (Northern Ireland) Order 1979 (S.I. 1979/1575 (N.I. 14))*

133 (1) Article 27 of the Administration of Estates (Northern Ireland)...

*County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 14))*

134 (1) Article 46 of the County Courts (Northern Ireland) Order...

SCHEDULE 6 — Speakership of the House of Lords

*Clerk of the Parliaments Act 1824 (c. 82)*

1 (1) For the title to section 3 of the Clerk...

*Parliamentary Papers Act 1840 (c. 9)*

2 In section 1 of the Parliamentary Papers Act 1840 (proceedings...

*Church of England Assembly (Powers) Act 1919 (c. 76)*

3 In section 2(2) of the Church of England Assembly (Powers)...

*Statutory Instruments Act 1946 (c. 36)*

4 (1) The Statutory Instruments Act is amended as follows.

*Laying of Documents Before Parliament (Interpretation) Act 1948 (c. 59)*

5 (1) For the title to section 2 of the Laying...

*Consolidation of Enactments (Procedure) Act 1949 (c. 33)*

6 (1) Section 1 of the Consolidation of Enactments (Procedure) Act...

*Exchequer and Audit Departments Act 1957 (c. 45)*

7 In section 2 of the Exchequer and Audit Departments Act...

*Ministerial and other Salaries Act 1975 (c. 27)*

8 In section 2(3) of the Ministerial and other Salaries Act...

SCHEDULE 7 — Protected functions of the Lord Chancellor

1 Any function of the Lord Chancellor that relates to the...

2 Any function of the Lord Chancellor under this Act.

3 Any function of the Lord Chancellor under another enactment, if...

3A Any function of the Lord Chancellor under the Legal Services...

4 Any function of the Lord Chancellor under these provisions— A:...

*Status: Point in time view as at 03/01/2012.*

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SCHEDULE 8 — Supreme Court selection commissions  
Part 1 — MEMBERSHIP

*General rules*

1 (1) A selection commission consists of the following members—

*Special rules where President's or Deputy President's place unfilled*

2 (1) This paragraph applies if one (but not both) of...

3 (1) This paragraph applies if both of the following conditions...

4 (1) The home jurisdiction of a judge of the Supreme...

*Disqualification*

5 (1) The President, the Deputy President, an ordinary judge of...

*Non-judicial members of selection commissions*

6 (1) This paragraph applies in relation to those persons who...

*Chairing of selection commissions*

7 A selection commission is to be chaired—

*Interpretation*

8 In this Schedule— (a) “selection commission for the office of...

9 (1) In this Part of this Schedule— “Judicial Appointments Board...

Part 2 — DISSOLUTION

10 A selection commission is dissolved if the Lord Chancellor notifies...

11 (1) A selection commission is dissolved if—

12 (1) A selection commission is dissolved if—

Part 3 — DUTY TO CONVENE COMMISSION: SPECIAL RULES

*Selection commission for the office of Deputy President*

13 (1) Any duty imposed on the Lord Chancellor under this...

*Selection commission for the office of judge*

14 (1) Any duty imposed on the Lord Chancellor under this...

SCHEDULE 9 — Amendments relating to jurisdiction of the Supreme Court  
Part 1 — JURISDICTION TRANSFERRED FROM THE HOUSE OF LORDS

*British Law Ascertainment Act 1859 (c. 63)*

1 In the British Law Ascertainment Act 1859—

*Nautical Assessors (Scotland) Act 1894 (c. 40)*

2 In section 6 of the Nautical Assessors (Scotland) Act 1894...

*Administration of Justice (Appeals) Act 1934 (c. 40)*

3 In the Administration of Justice (Appeals) Act 1934, omit section...

*Status: Point in time view as at 03/01/2012.*

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*National Health Service (Amendment) Act 1949 (c. 93)*

4 In the National Health Service (Amendment) Act 1949, in section...

*Miners' Welfare Act 1952 (c. 23)*

5 In the Miners' Welfare Act 1952, in section 17 (application...

*Army Act 1955 (c. 18)*

6 In the Army Act 1955, in section 113C (review of...

*Air Force Act 1955 (c. 19)*

7 In the Air Force Act 1955, in section 113C (review...

*Administration of Justice Act 1956 (c. 46)*

8 In the Administration of Justice Act 1956, in Schedule 1...

*Geneva Conventions Act 1957 (c. 52)*

9 In the Geneva Conventions Act 1957, in section 4 (appeals...

*Naval Discipline Act 1957 (c. 53)*

10 In the Naval Discipline Act 1957, in section 71AC (review...

*Agricultural Marketing Act 1958 (c. 47)*

11 In the Agricultural Marketing Act 1958, in section 12(2) (enforcement...

*Caravan Sites and Control of Development Act 1960 (c. 62)*

12 In the Caravan Sites and Control of Development Act 1960,...

*Administration of Justice Act 1960 (c. 65)*

13 (1) The Administration of Justice Act 1960 is amended as...

*Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)*

14 In section 2A of the Backing of Warrants (Republic of...

*Commonwealth Secretariat Act 1966 (c. 10)*

15 In the Commonwealth Secretariat Act 1966, in section 1 (the...

*Criminal Appeal Act 1968 (c. 19)*

16 (1) The Criminal Appeal Act 1968 is amended as follows....

*Courts-Martial (Appeals) Act 1968 (c. 20)*

17 (1) The Courts-Martial (Appeals) Act 1968 is amended as follows....

*Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)*

18 In the Domestic and Appellate Proceedings (Restriction of Publicity) Act...

*Status: Point in time view as at 03/01/2012.*

*Changes to legislation: Constitutional Reform Act 2005 is up to date with all changes known to be in force on or before 29 June 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)*

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*Foreign Compensation Act 1969 (c. 20)*

19 In the Foreign Compensation Act 1969 in section 3 (determinations...

*Administration of Justice Act 1969 (c. 58)*

20 (1) The Administration of Justice Act 1969 is amended as...

*Taxes Management Act 1970 (c. 9)*

21 (1) The Taxes Management Act 1970 is amended as follows....

*Administration of Justice Act 1970 (c. 31)*

22 In the Administration of Justice Act 1970, in Schedule 9...

*Criminal Justice Act 1972 (c. 71)*

23 In the Criminal Justice Act 1972, in section 36 (reference...

*Prosecution of Offences (Northern Ireland) Order 1972 (S.I. 1972/538 (N.I. 1))*

24 In the Prosecution of Offences (Northern Ireland) Order 1972, in...

*Administration of Justice Act 1973 (c. 15)*

25 In the Administration of Justice Act 1973, in section 18...

*Litigants in Person (Costs and Expenses) Act 1975 (c. 47)*

26 In the Litigants in Person (Costs and Expenses) Act 1975,...

*Industry Act 1975 (c. 68)*

27 In the Industry Act 1975, in Schedule 3 (arbitration) in...

*Race Relations Act 1976 (c. 74)*

28 In the Race Relations Act 1976, in section 57A (claims...

*Aircraft and Shipbuilding Industries Act 1977 (c. 3)*

29 In the Aircraft and Shipbuilding Industries Act 1977, in Schedule...

*Judicature (Northern Ireland) Act 1978 (c. 23)*

30 (1) The Judicature (Northern Ireland) Act 1978 is amended as...

*Estate Agents Act 1979 (c. 38)*

31 In the Estate Agents Act 1979, in section 7 (appeals)...

*Solicitors (Scotland) Act 1980 (c. 46)*

32 (1) The Solicitors (Scotland) Act 1980 is amended as follows....

*Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

-33 (1) The Criminal Appeal (Northern Ireland) Act 1980 is amended...



*Status: Point in time view as at 03/01/2012.*

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*Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)*

- 34 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland)...

*Contempt of Court Act 1981 (c. 49)*

- 35 (1) The Contempt of Court Act 1981 is amended as...

*Supreme Court Act 1981 (c. 54)*

- 36 (1) The Supreme Court Act 1981 is amended as follows....

*Wildlife and Countryside Act 1981 (c. 69)*

- 37 In the Wildlife and Countryside Act 1981, in section 31...

*Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))*

- 38 In the Legal Aid, Advice and Assistance (Northern Ireland) Order...

*Civil Jurisdiction and Judgments Act 1982 (c. 27)*

- 39 In the Civil Jurisdiction and Judgments Act 1982, in section...

*Mental Health (Scotland) Act 1984 (c. 36)*

- 40 In section 66A(4) of the Mental Health (Scotland) Act 1984...

*Prosecution of Offences Act 1985 (c. 23)*

- 41 (1) The Prosecution of Offences Act 1985 is amended as...

*Transport Act 1985 (c. 67)*

- 42 (1) The Transport Act 1985 is amended as follows.

*Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73)*

- 43 In section 22(1) of the Law Reform (Miscellaneous Provisions) (Scotland)...

*Insolvency Act 1986 (c. 45)*

- 44 In the Insolvency Act 1986, in section 277(3)(b) (petition based...

*Legal Aid (Scotland) Act 1986 (c. 47)*

- 45 In the Legal Aid (Scotland) Act 1986, in Part 1...

*Criminal Justice Act 1987 (c. 38)*

- 46 In the Criminal Justice Act 1987, in section 11 (restrictions...

*Income and Corporation Taxes Act 1988 (c. 1)*

- 47 (1) The Income and Corporation Taxes Act 1988 is amended...

*Status: Point in time view as at 03/01/2012.*

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*Criminal Justice Act 1988 (c. 33)*

48 (1) The Criminal Justice Act 1988 is amended as follows....

*Court of Session Act 1988 (c. 36)*

49 (1) The Court of Session Act 1988 is amended as...

*Road Traffic Offenders Act 1988 (c. 53)*

50 In the Road Traffic Offenders Act 1988, in section 40...

*Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))*

51 In the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988,...

*Extradition Act 1989 (c. 33)*

52 In section 10 of the Extradition Act 1989 (statement of...

*New Roads and Street Works Act 1991 (c. 22)*

53 In the New Roads and Street Works Act 1991, in...

*Child Support Act 1991 (c. 48)*

54 In the Child Support Act 1991, in section 28ZC (restrictions...

*Water Resources Act 1991 (c. 57)*

55 In the Water Resources Act 1991, in Schedule 14 (orders...

*Land Drainage Act 1991 (c. 59)*

56 In the Land Drainage Act 1991, in Schedule 3 (procedure...

*Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))*

57 In the Child Support (Northern Ireland) Order 1991, in Article...

*Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

58 In the Social Security Administration (Northern Ireland) Act 1992, in...

*Tribunals and Inquiries Act 1992 (c. 53)*

59 In the Tribunals and Inquiries Act 1992, in section 11...

*Arbitration Act 1996 (c. 23)*

60 In the Arbitration Act 1996, in Schedule 2 (modifications of...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

61 (1) The Criminal Procedure and Investigations Act 1996 is amended...

*Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9))*

62 In the Proceeds of Crime (Northern Ireland) Order 1996, in...

*Status: Point in time view as at 03/01/2012.*

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*Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10))*

63 In the Road Traffic Offenders (Northern Ireland) Order 1996, in...

*Social Security Act 1998 (c. 14)*

64 In the Social Security Act 1998, in section 27 (restrictions...

*Competition Act 1998 (c. 41)*

65 (1) The Competition Act 1998 is amended as follows.

*Human Rights Act 1998 (c. 42)*

66 (1) The Human Rights Act 1998 is amended as follows....

*Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))*

67 In the Social Security (Northern Ireland) Order 1998, in Article...

*Access to Justice Act 1999 (c. 22)*

68 (1) The Access to Justice Act 1999 is amended as...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

69 In the Powers of Criminal Courts (Sentencing) Act 2000, in...

*Financial Services and Markets Act 2000 (c. 8)*

70 In the Financial Services and Markets Act 2000 in section...

*Terrorism Act 2000 (c. 11)*

71 In the Terrorism Act 2000, in section 6 (further appeal)...

*Child Support, Pensions and Social Security Act 2000 (c. 19)*

72 In the Child Support, Pensions and Social Security Act 2000,...

*Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11)*

73 In section 2(2) of the Regulation of Investigatory Powers (Scotland)...

*Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))*

74 In the Child Support, Pensions and Social Security Act (Northern...

*International Criminal Court Act 2001 (c. 17)*

75 In the International Criminal Court Act 2001, in section 9...

*Armed Forces Act 2001 (c. 19)*

76 In the Armed Forces Act 2001, in section 30 (conditional...

*Proceeds of Crime Act 2002 (c. 29)*

77 (1) The Proceeds of Crime Act 2002 is amended as...

*Status: Point in time view as at 03/01/2012.*

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*Licensing Act 2003 (c. 17)*

78 In the Licensing Act 2003, in section 130 (powers of...

*Crime (International Co-operation) Act 2003 (c. 32)*

79 In the Crime (International Co-operation) Act 2003, in sections 60(4)...

*Courts Act 2003 (c. 39)*

80 (1) The Courts Act 2003 is amended as follows.

*Extradition Act 2003 (c. 41)*

81 (1) The Extradition Act 2003 is amended as follows.

*Criminal Justice Act 2003 (c. 44)*

82 (1) The Criminal Justice Act 2003 is amended as follows....

*Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)*

83 In section 323(2)(a) of the Mental Health (Care and Treatment)...

*Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))*

84 In the Access to Justice (Northern Ireland) Order 2003, in...  
Part 2 — DEVOLUTION JURISDICTION

*Legal Aid (Scotland) Act 1986 (c. 47)*

85 (1) The Legal Aid (Scotland) Act 1986 is amended as...

*Criminal Procedure (Scotland) Act 1995 (c. 46)*

86 In section 288B of the Criminal Procedure (Scotland) Act 1995...

*Government of Wales Act 1998 (c. 38)*

87 The Government of Wales Act 1998 is amended as follows....

88 In Part 1 of Schedule 8 (devolution issues: preliminary) omit...

89 (1) Part 2 of Schedule 8 (proceedings in England and...

90 (1) Part 3 of Schedule 8 (proceedings in Scotland on...

91 (1) Part 4 of Schedule 8 (proceedings in Northern Ireland...

92 (1) Part 5 of Schedule 8 (devolution issues: general) is...

*Scotland Act 1998 (c. 46)*

93 The Scotland Act 1998 is amended as follows.

94 In section 15 (disqualification from membership of the Parliament) in...

95 In section 32 (submission of Bills for Royal Assent)—

96 (1) In the sidenote to section 33 (scrutiny of Bills...

97 In section 34 (ECJ references), in subsection (1)(b) for “Judicial...

98 In section 35 (power of Secretary of State to intervene...

99 In section 36 (stages of Bills), in subsection (4) for...

100 In section 95 (appointment and removal of judges)—

101 Omit section 103 (proceedings before the Judicial Committee).

102 In section 127 (index of defined expressions) omit the entry...

*Status: Point in time view as at 03/01/2012.*

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- 103 (1) Part 2 of Schedule 6 (proceedings in Scotland on...
- 104 (1) Part 3 of Schedule 6 (proceedings in England and...
- 105 (1) Part 4 of Schedule 6 (proceedings in Northern Ireland...
- 106 (1) Part 5 of Schedule 6 (devolution issues: general) is...
- 107 In Schedule 7 (procedure for subordinate legislation), in the table...

*Northern Ireland Act 1998 (c. 47)*

- 108 The Northern Ireland Act 1998 is amended as follows.
- 109 (1) In the sidenote to section 11 (scrutiny of Bills...
- 110 In section 12 (reconsideration where reference made to ECJ), in...
- 111 In section 13 (stages of Bills), in subsection (5)(a) for...
- 112 In section 14 (submission by Secretary of State of Bills...
- 113 Omit section 82 (proceedings before the Judicial Committee).
- 114 In section 98 (interpretation), in subsection (1) omit the entry...
- 115 (1) Part 2 of Schedule 10 (proceedings in Northern Ireland...
- 116 (1) Part 3 of Schedule 10 (proceedings in England and...
- 117 (1) Part 4 of Schedule 10 (proceedings in Scotland on...
- 118 (1) Part 5 of Schedule 10 (devolution issues: general) is...
- 119 In paragraph 40 (application of paragraph 39 in particular circumstances),...

SCHEDULE 10 — Proceedings under jurisdiction transferred to Supreme Court

*Interpretation*

- 1 (1) In this Schedule “transferred jurisdiction” means any jurisdiction of —...
- 2 In this Schedule “transferred proceedings” means proceedings which were begun...

*Proceedings*

- 3 (1) As from the transfer day, transferred proceedings may be...
- 4 (1) Anything done in accordance with the rules of the...
- 5 (1) Any act, judgment or order of the original court...

*Fees*

- 6 (1) This paragraph applies to any fee due under the...

*Funds*

- 7 (1) This paragraph applies to the investments and money which...
- 8 (1) The transfer of any investments and money under paragraph...
- 9 (1) This paragraph applies to a liability of the House...
- 10 In paragraphs 7 and 9 “accounting officer” means the person...

SCHEDULE 11 — Renaming of the Supreme Courts of England and Wales and Northern Ireland

Part 1 — CITATION OF ACTS AND RULES

- 1 (1) The Supreme Court Act 1981 (c. 54) may be...
- 2 (1) The Supreme Court (Offices) Act 1997 (c. 69) may...
- 3 (1) The Rules of the Supreme Court (Northern Ireland) (Revision)...

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Part 2 — MISCELLANEOUS AMENDMENTS: SUPREME COURT OF ENGLAND  
AND WALES

- 4 (1) In each of the enactments listed in sub-paragraph (3)...

Part 3 — MISCELLANEOUS AMENDMENTS: SUPREME COURT OF  
JUDICATURE OF NORTHERN IRELAND

*Solicitor of the Supreme Court*

- 5 For the words in the first column wherever they occur...

*Miscellaneous*

- 6 (1) In each of the enactments listed in sub-paragraph (3)...

Part 4 — SPECIFIC AMENDMENTS

*Chelsea and Kilmainham Hospitals Act 1826 (c. 16)*

- 7 (1) The Chelsea and Kilmainham Hospitals Act 1826 is amended...

*Ecclesiastical Houses of Residence Act 1842 (c. 26)*

- 8 (1) The Ecclesiastical Houses of Residence Act 1842 is amended...

*Lands Clauses Consolidation Act 1845 (c. 18)*

- 9 (1) The Lands Clauses Consolidation Act 1845 is amended as...

*Landed Estates Court (Ireland) Act 1858 (c. 72)*

- 10 (1) The Landed Estates Court (Ireland) Act 1858 is amended...

*Defence Act 1860 (c. 112)*

- 11 (1) The Defence Act 1860 is amended as follows.

*The Great Seal (Offices) Act 1874 (c. 81)*

- 12 In the Great Seal (Offices) Act 1874, in section 5...

*Commons Act 1876 (c. 56)*

- 13 In the Commons Act 1876, in section 30 (jurisdiction of...

*Public Offices Fees Act 1879 (c. 58)*

- 14 In the Public Offices Fees Act 1879, in section 7...

*Commissioners for Oaths Act 1889 (c. 10)*

- 15 (1) The Commissioners for Oaths Act 1889 is amended as...

*Notice of Accidents Act 1894 (c. 28)*

- 16 (1) The Notice of Accidents Act 1894 is amended as...

*London Building Acts (Amendment) Act 1939 (c. xcvi)*

- 17 (1) The London Building Acts (Amendment) Act 1939 is amended...

*Status: Point in time view as at 03/01/2012.*

**Changes to legislation:** *Constitutional Reform Act 2005 is up to date with all changes known to be in force on or before 29 June 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)*

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*Registered Designs Act 1949 (c. 88)*

18 In the Registered Designs Act 1949, in section 31 (evidence...

*Maintenance Orders Act 1950 (c. 37)*

19 (1) The Maintenance Orders Act 1950 is amended as follows....

*Northern Ireland Act 1962 (c. 30)*

20 In the Northern Ireland Act 1962, in section 29 (supplemental)...

*Solicitors Act 1974 (c. 47)*

21 (1) The Solicitors Act 1974 is amended as follows.

*Litigants in Person (Costs and Expenses) Act 1975 (c. 47)*

22 In the Litigants in Person (Costs and Expenses) Act 1975,...

*Patents Act 1977 (c. 37)*

23 (1) The Patents Act 1977 is amended as follows,

*Interpretation Act 1978 (c. 30)*

24 In the Interpretation Act 1978, in Schedule 1 (words and...

*Judicial Pensions Act 1981 (c. 20)*

25 (1) The Judicial Pensions Act 1981 is amended as follows....

*Supreme Court Act 1981 (c. 54)*

26 (1) The Supreme Court Act 1981 is amended as follows....

*Administration of Justice Act 1982 (c. 53)*

27 (1) The Administration of Justice Act 1982 is amended as...

*Representation of the People Act 1983 (c. 2)*

28 (1) The Representation of the People Act 1983 is amended...

*Income and Corporation Taxes Act 1988 (c. 1)*

29 In the Income and Corporation Taxes Act 1988, in section...

*Taxation of Chargeable Gains Act 1992 (c. 12)*

30 (1) The Taxation of Chargeable Gains Act 1992 is amended...

*Trade Marks Act 1994 (c. 26)*

31 In the Trade Marks Act 1994 in section 69 (evidence...

*Supreme Court (Offices) Act 1997 (c. 69)*

32 In the Supreme Court (Offices) Act 1997, for “Supreme Court”...

*Status: Point in time view as at 03/01/2012.*

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*Northern Ireland Act 1998 (c. 47)*

33 (1) The Northern Ireland Act 1998 is amended as follows....

*Freedom of Information Act 2000 (c. 36)*

34 In Part 7 of Schedule 1 to the Freedom of...

*Criminal Justice and Court Services Act 2000 (c. 43)*

35 In the following provisions of the Criminal Justice and Court...

SCHEDULE 12 — The Judicial Appointments Commission

Part 1 — THE COMMISSIONERS

*The Commissioners*

- 1 The Commission consists of— (a) a chairman, and
- 2 (1) The chairman must be a lay member.
- 3 A person must not be appointed as a Commissioner if...
- 4 (1) A judicial member is a person who holds an...
- 5 (1) The Lord Chancellor may by order amend any of...
- 6 (1) In this Schedule— “judicial member” has the meaning given...

*Selection of commissioners*

- 7 (1) The Lord Chancellor may recommend a person for appointment...

*Panels*

- 8 (1) A panel appointed under paragraph 7(2) must have four...
- 9 The Lord Chancellor may pay to a member of a...

*Selection by a panel*

- 10 (1) This paragraph applies to selection by a panel appointed...

*Vice-chairman*

- 11 (1) The Commissioner who is the most senior of the...

*Term of office etc. of Commissioners*

- 12 (1) A Commissioner must be appointed for a fixed period...
- 13 A person— (a) may not be appointed as a Commissioner...
- 14 (1) A Commissioner— (a) in the case of the chairman,...
- 15 (1) A Commissioner may at any time—

*Salary, allowances and expenses*

- 16 (1) The Commission may— (a) pay to each Commissioner such...

*Code of Conduct*

- 17 The Lord Chancellor may issue and from time to time...

Part 2 — THE COMMISSION



*Status: Point in time view as at 03/01/2012.*

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*Status of the Commission and its property*

18 (1) The Commission is not to be regarded—

*Powers*

19 (1) The Commission may do anything calculated to facilitate, or...

*Committees*

20 (1) The Commission may establish committees. (2) A committee of...

*Procedure and proceedings*

21 (1) The Commission may regulate its own procedure, and the...

*Staff*

22 (1) The Commission— (a) must appoint a chief executive, and...

*Arrangements for assistance*

23 (1) The Commission may make arrangements with such persons as...

*Appointments and arrangements by the Lord Chancellor*

24 (1) The Lord Chancellor may appoint a person to serve...

25 (1) The Lord Chancellor may— (a) appoint persons to serve...

*Power to transfer staff to employment of the Commission*

26 (1) The Lord Chancellor may by regulations provide for the...

*Delegation*

27 (1) The Commission may delegate functions to—

*Delegation and contracting out of superannuation functions*

28 (1) Section 1(2) of the Superannuation Act 1972 (c. 11)...

*Inspection of documents*

29 (1) The Commission must permit any person authorised by the...

*Financial provisions and directions*

30 (1) The Lord Chancellor must pay to the Commission such...

*Accounts and audit*

31 (1) The Commission must keep proper accounts and proper records...

*Reports*

32 (1) The Commission must, as soon as practicable after the...

*Documentary evidence*

33 The application of the seal of the Commission is to...

*Status: Point in time view as at 03/01/2012.*

*Changes to legislation: Constitutional Reform Act 2005 is up to date with all changes known to be in force on or before 29 June 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)*

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- 34 Any contract or instrument which, if entered into or executed...  
35 A document purporting to be— (a) duly executed under the...

*General*

- 36 (1) “Financial year” in this Schedule, means—

SCHEDULE 13 — The Judicial Appointments and Conduct Ombudsman

*The Ombudsman*

- 1 (1) The Ombudsman is appointed by Her Majesty on the...  
2 (1) In this Schedule “practising” is to be read in...

*Term of office etc. of Ombudsman*

- 3 (1) The Ombudsman must be appointed for a fixed period...  
4 (1) A person— (a) may not be appointed as the...  
5 (1) The Ombudsman may at any time—

*Salary, allowances and expenses*

- 6 (1) The Lord Chancellor may— (a) pay to the Ombudsman...

*Acting Ombudsman*

- 7 (1) The Lord Chancellor may appoint a person to exercise...

*Status of the Ombudsman*

- 8 The person for the time being holding the office of...

*Powers of the Ombudsman*

- 9 (1) The Ombudsman does not have power to do any...

*Arrangements for assistance*

- 10 (1) The Ombudsman may make arrangements with such persons as...

*Arrangements by the Lord Chancellor*

- 11 Unless the Ombudsman has made arrangements under paragraph 10, the...

*Delegation of functions*

- 12 (1) The Ombudsman may delegate any functions to—

*Financial provisions and directions*

- 13 (1) Expenditure incurred by the Ombudsman in the discharge of...

*Code of conduct*

- 14 The Lord Chancellor may issue and from time to time...

*Status: Point in time view as at 03/01/2012.*

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### *Reports*

- 15 (1) The Ombudsman must, as soon as practicable after the...

### *Documentary evidence*

- 16 A document purporting to be an instrument issued by the...

### *General*

- 17 (1) “Financial year” in this Schedule, means—

SCHEDULE 14 — The Judicial Appointments Commission: Relevant Offices and Enactments

Part 1 — APPOINTMENTS BY HER MAJESTY

Part 2 — APPOINTMENTS BY THE LORD CHANCELLOR: OFFICES TO WHICH PARAGRAPH 2(2)(D) OF SCHEDULE 12 DOES NOT APPLY

Part 3 — APPOINTMENTS BY THE LORD CHANCELLOR: OFFICES TO WHICH PARAGRAPH 2(2)(D) OF SCHEDULE 12 APPLIES

SCHEDULE 15 — Northern Ireland Judicial Appointments Ombudsman  
After Schedule 3 to the Justice (Northern Ireland) Act 2002...

SCHEDULE 16 — Judicial Committee of the Privy Council

### *Judicial Committee Act 1833 (c. 41)*

- 1 The Judicial Committee Act 1833 is amended as follows.
- 2 For section 1 substitute— The Judicial Committee of the Privy...
- 3 For section 18 substitute— Appointment of registrar (1) Her Majesty may, under her sign manual, appoint any...
- 4 In section 19 (attendance of witnesses etc) for “the president...

### *Court of Chancery Act 1851 (c. 83)*

- 5 In section 16 of the Court of Chancery Act 1851...

### *Privy Council Registrar Act 1853 (c. 85)*

- 6 In section 2 of the Privy Council Registrar Act 1853...

### *Oxford University Act 1862 (c. 26)*

- 7 In section 7 of the Oxford University Act 1862 (approbation...

### *Public Schools Act 1868 (c. 118)*

- 8 In section 9 of the Public Schools Act 1868 (statutes...

### *Judicial Committee Act 1881 (c. 3)*

- 9 The Judicial Committee Act 1881 ceases to have effect.

### *Judicial Committee Act 1915 (c. 92)*

- 10 In section 1 of the Judicial Committee Act 1915 (power...

SCHEDULE 17 — Minor and consequential amendments

*Status: Point in time view as at 03/01/2012.*

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Part 1 — THE LORD CHANCELLOR

*Fines Act 1833 (c. 99)*

- 1 The Fines Act 1833 ceases to have effect.

*Promissory Oaths Act 1868 (c. 72)*

- 2 In the Schedule to the Promissory Oaths Act 1868 (persons...

*Universities of Oxford and Cambridge Act 1877 (c. 48)*

- 3 In the Universities of Oxford and Cambridge Act 1877, in...

*Sheriffs Act 1887 (c. 55)*

- 4 In the Sheriffs Act 1887, in section 6 (nomination and...

*Administration of Justice Act 1964 (c. 42)*

- 5 In section 37 of the Administration of Justice Act 1964...

*Parliamentary Commissioner Act 1967 (c. 13)*

- 6 (1) The Parliamentary Commissioner Act 1967 is amended as follows....

*Patronage (Benefices) Measure 1986 (1986 No. 3)*

- 7 Section 36 of the Patronage (Benefices) Measure 1986 ceases to...

*Priests (Ordination of Women) Measure 1993 (1993 No. 2)*

- 8 (1) The Priests (Ordination of Women) Measure 1993 is amended...

Part 2 — AMENDMENTS RELATING TO PART 3

*Appellate Jurisdiction Act 1876 (c. 59)*

- 9 The Appellate Jurisdiction Act 1876 ceases to have effect.

*Jurisdiction in Rating Act 1877 (c. 11)*

- 10 In the Jurisdiction in Rating Act 1877, in section 3...

*Appellate Jurisdiction Act 1887 (c. 70)*

- 11 The Appellate Jurisdiction Act 1887 ceases to have effect.

*Railway and Canal Traffic Act 1888 (c. 25)*

- 12 Section 17(5) of the Railway and Canal Traffic Act 1888...

*Supreme Court of Judicature Act 1891 (c. 53)*

- 13 The Supreme Court of Judicature Act 1891 ceases to have...

*Appellate Jurisdiction Act 1947 (c. 11)*

- 14 The Appellate Jurisdiction Act 1947 ceases to have effect.

*Status: Point in time view as at 03/01/2012.*

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*Life Peerages Act 1958 (c. 21)*

15 In the Life Peerages Act 1958, in section 1 (power...

*Ecclesiastical Jurisdiction Measure 1963 (1963 No. 1)*

16 (1) The Ecclesiastical Jurisdiction Measure 1963 is amended as follows....

*Law Commissions Act 1965 (c. 22)*

17 In section 6 of the Law Commissions Act 1965 (supplemental)...

*Administration of Justice Act 1968 (c. 5)*

18 The Administration of Justice Act 1968 ceases to have effect....

*Administration of Justice Act 1973 (c. 15)*

19 (1) The Administration of Justice Act 1973 is amended as...

*Juries Act 1974 (c. 23)*

20 In the Juries Act 1974, in Group A in Part...

*Judicature (Northern Ireland) Act 1978 (c. 23)*

21 (1) The Judicature (Northern Ireland) Act 1978 is amended as...

*Supreme Court Act 1981 (c. 54)*

22 (1) The Supreme Court Act 1981 is amended as follows....

*Civil Jurisdiction and Judgments Act 1982 (c. 27)*

23 In the Civil Jurisdiction and Judgments Act 1982, in section...

*Courts and Legal Services Act 1990 (c. 41)*

24 In the Courts and Legal Services Act 1990, in Schedule...

*Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (1991 No. 3)*

25 In the Care of Churches and Ecclesiastical Jurisdiction Measure 1991,...

*Justices of the Peace Act 1997 (c. 25)*

26 In section 7(2) of the Justices of the Peace Act...

*Police Act 1997 (c. 50)*

27 In section 91(2) of the Police Act 1997 (Commissioners for...

*Special Immigration Appeals Commission Act 1997 (c. 68)*

28 In paragraph 5 of Schedule 1 to the Special Immigration...

*Terrorism Act 2000 (c. 11)*

29 In paragraph 4(3)(b) of Schedule 3 to the Terrorism Act...

*Status: Point in time view as at 03/01/2012.*

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*Regulation of Investigatory Powers Act 2000 (c. 23)*

30 (1) The Regulation of Investigatory Powers Act 2000 is amended...

*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

31 In Schedule 6 to the Anti-terrorism, Crime and Security Act...

*European Parliamentary Elections Act 2002 (c. 24)*

32 In the European Parliamentary Elections Act 2002, in section 10...

*Justice (Northern Ireland) Act 2002 (c. 26)*

33 (1) The Justice (Northern Ireland) Act 2002 is amended as...

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

34 In Schedule 4 to the Nationality, Immigration and Asylum Act...

*Clergy Discipline Measure 2003 (2003 No. 3)*

35 In the Clergy Discipline Measure 2003, in section 43(1)  
(interpretation)...

Part 3 — NORTHERN IRELAND

*Judicature (Northern Ireland) Act 1978 (c. 23)*

36 Northern Ireland

*Justice (Northern Ireland) Act 2002 (c. 26)*

37 Northern Ireland

38 Northern Ireland

39 Northern Ireland

SCHEDULE 18 — Repeals and revocations

Part 1 — POWERS TO MAKE RULES

Part 2 — JUDICIARY-RELATED FUNCTIONS AND ORGANISATION OF THE  
COURTS

Part 3 — FUNCTIONS UNDER LEGISLATION RELATING TO NORTHERN  
IRELAND

Part 4 — THE LORD CHANCELLOR: MINOR AND CONSEQUENTIAL

Part 5 — SUPREME COURT

Part 6 — JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

**Status:**

Point in time view as at 03/01/2012.

**Changes to legislation:**

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