

Status: Point in time view as at 01/10/2009.

Changes to legislation: Constitutional Reform Act 2005, SCHEDULE 16 is up to date with all changes known to be in force on or before 11 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)

SCHEDULES

SCHEDULE 16

Section 138

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—

“1 The Judicial Committee of the Privy Council

- (1) There shall be a committee of the Privy Council styled “The Judicial Committee of the Privy Council”.
- (2) A person is a member of the committee if—
- (a) he is a member of the Privy Council who holds, or has held, high judicial office, or
 - (b) another enactment provides for him to be a member of the committee.
- (3) Subsection (2)(a) does not apply to a person after the day on which he attains the age of 75 years.
- (4) In this section “high judicial office” has the same meaning as in Part 3 of the Constitutional Reform Act 2005.”

- 3 For section 18 substitute—

“18 Appointment of registrar

- (1) Her Majesty may, under her sign manual, appoint any person to be the registrar of the said privy council, as regards the purposes of this Act, and direct what duties shall be performed by the registrar.
- (2) A recommendation to Her Majesty to exercise any power under subsection (1) may be made only after consultation with the President of the Supreme Court of the United Kingdom.”

- 4 In section 19 (attendance of witnesses etc) for “the president for the time being of the said privy council” substitute “ the Judicial Committee of the Privy Council ”.

Court of Chancery Act 1851 (c. 83)

- 5 In section 16 of the Court of Chancery Act 1851 (quorum of Judicial Committee) omit the words from “, exclusive of” to the end.

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Privy Council Registrar Act 1853 (c. 85)

- 6 In section 2 of the Privy Council Registrar Act 1853 (appointment by President of the Council of person to act for registrar) after “Privy Council” insert “, after consulting the President of the Supreme Court of the United Kingdom,”.

Oxford University Act 1862 (c. 26)

- 7 In section 7 of the Oxford University Act 1862 (approbation of statutes by Her Majesty in Council etc) omit “, not including the Lord President,”.

Public Schools Act 1868 (c. 118)

- 8 In section 9 of the Public Schools Act 1868 (statutes to be laid before Privy Council) omit “, not including the Lord President,”.

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 of Judicial Committee to sit in more than one division) omit “and the Lord President of the Council”.

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