
STATUTORY INSTRUMENTS

2004 No. 1033

**The Civil Procedure (Modification of
Supreme Court Act 1981) Order 2004**

3. In section 29 (orders of mandamus, prohibition and certiorari) —
- (a) for subsection (1) substitute—

“(1) The orders of mandamus, prohibition and certiorari shall be known instead as mandatory, prohibiting and quashing orders respectively.

(1A) The High Court shall have jurisdiction to make mandatory, prohibiting and quashing orders in those classes of case in which, immediately before 1st May 2004, it had jurisdiction to make orders of mandamus, prohibition and certiorari respectively.”;
 - (b) in each of subsections (3) and (3A), for “orders of mandamus, prohibition or certiorari” substitute “mandatory, prohibiting or quashing orders”;
 - (c) in subsection (4), for “order of mandamus” substitute “mandatory order”;
 - (d) for subsection (5) substitute—

“(5) In any statutory provision—

 - (a) references to mandamus or to a writ or order of mandamus shall be read as references to a mandatory order;
 - (b) references to prohibition or to a writ or order of prohibition shall be read as references to a prohibiting order;
 - (c) references to certiorari or to a writ or order of certiorari shall be read as references to a quashing order; and
 - (d) references to the issue or award of a writ of mandamus, prohibition or certiorari shall be read as references to the making of the corresponding mandatory, prohibiting or quashing order.”;
 - (e) for the side-note substitute “Mandatory, prohibiting and quashing orders”.