



# Appellate Jurisdiction Act 1887

## 1887 CHAPTER 70

An Act to amend the Appellate Jurisdiction Act, 1876.

[16th September 1887]

WHEREAS it is expedient to amend the Appellate Jurisdiction Act, 1876.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

### **1 Lord of Appeal may take his seat during prorogation.**

Whereas it is expedient that any Lord of Appeal, as defined by the Appellate Jurisdiction Act, 1876, notwithstanding that he may not be a Lord of Appeal in Ordinary within the meaning of that Act, should be empowered to take his seat and the oaths at the sittings of the House of Lords for hearing and determining appeals during the prorogation of Parliament: Be it enacted that, notwithstanding anything in the eighth section of the said Act contained, every Lord of Appeal shall be empowered to take his seat and the oaths at any such sitting of the House of Lords during prorogation.

### **2 Retired Lord of Appeal in Ordinary may sit in House of Lords.**

The sixth section of the Appellate Jurisdiction Act, 1876, shall be construed and take effect, as well in respect of any Lord of Appeal in Ordinary heretofore appointed under that Act, as of any such Lord hereafter appointed, so as to entitle any person so appointed to sit and vote as a member of the House of Lords during his life as fully as if the words " during the time that he continues " in his office as a Lord of Appeal in Ordinary, and no longer " had been omitted from the said section.

### **3 Amendment of 3 & 4 Will.4 c.41.**

The Judicial Committee of the Privy Council as formed under the provisions of the first section of the Act of the third and fourth William the Fourth, chapter forty-one,

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*Status: This is the original version (as it was originally enacted).*

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intituled " An Act " for the better administration of Justice in His Majesty's Privy " Council," shall include such members of Her Majesty's Privy Council as are for the time being holding or have held any of the offices in the Appellate Jurisdiction Act, 1876, and this Act, described as high judicial offices.

**4 Remuneration in Judicial Committee.**

Any person who shall in virtue of the thirtieth section of the Act of the third and fourth William the Fourth, chapter forty-one, attend the sittings of the Judicial Committee of the Privy Council, shall be deemed to be included as a member of the said Committee for all purposes, and shall, if there be only one such person, be entitled to receive the whole amount of the sums by the said section provided, that is to say, eight hundred pounds for every year during which he shall so attend; but if there shall at any time be two such persons, they shall severally be entitled to the sums provided in the said section.

**5 Amendment of 39 & 40 Vict. c.59 s.25.**

The expression "high judicial office" as defined in the twenty-fifth section of the Appellate Jurisdiction Act, 1876, shall be deemed to include the office of a Lord of Appeal in Ordinary and the office of a member of the Judicial Committee of the Privy Council.

**6 Short title.**

This Act may be cited as the Appellate Jurisdiction Act, 1887.