



# Administration of Justice Act 1964

## 1964 CHAPTER 42

### PART III

#### SUPPLEMENTAL

**F1**35 .....

#### Textual Amendments

**F1** Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

**F2**36 .....

#### Textual Amendments

**F2** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

### 37 Financial provisions.

(1) Any increase attributable to the provisions of this Act in the sums payable under any other enactment out of the Consolidated Fund or out of moneys provided by Parliament shall be paid out of that Fund or out of moneys so provided.

(2) <sup>F3</sup> .....

<sup>F4</sup>(3) .....

<sup>F5</sup>(4) .....

*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1964, Part III. (See end of Document for details)*

### Textual Amendments

- F3** S. 37(2) repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 145, 146, 148(1), **Sch. 17 para. 5, Sch. 18 Pt. 4**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 paras. 11(q), 28, 30(d)
- F4** S. 37(3) repealed by Local Government Act 1985 (c. 51, SIF 81: 1), s. 102, **Sch. 17**
- F5** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

## 38 Interpretation.

- (1) In this Act, unless the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them, that is to say—

“the City” means the City of London;

“committed for sentence or order” means committed to be dealt with under <sup>F6</sup>section 37 or 38 of the <sup>M1</sup>Magistrates’ Courts Act 1980], or under section 67 of the <sup>M2</sup>Mental Health Act 1959;

<sup>F7</sup>  
...

“existing”, in relation to any authority or thing, means that authority or thing as it existed immediately before the commencement of this Act;

<sup>F8</sup>  
...

“officer” includes the holder of any place, situation or employment and “office” shall be construed accordingly;

<sup>F9</sup> “Receiver” means the Receiver for the metropolitan police district;]

<sup>F10</sup>  
...

- (2) References in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as references to that enactment as amended by or under any subsequent enactment including this Act.

### Textual Amendments

- F6** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 7 para. 51**
- F7** In s. 38(1), definition of “domestic court” repealed (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 92(11), 108(6)(7), Sch. 11 Pt. II para. 5, **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**.
- F8** Definition beginning “London commission areas” in s. 38(1) repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9))
- F9** Definition of “Receiver”  
in s. 38(1) repealed (*prosp.*) by 1999 c. 29, ss. 325, 423, 425(2), Sch. 27 para. 18, Sch. 34 Pt. VII (with **Sch. 12 para. 9(1)**)
- F10** Definition of “stipendiary magistrate”  
in s. 38(1) repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

### Marginal Citations

- M1** 1980 c. 43 (**82**).
- M2** 1959 c. 72 (**85**).

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*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1964, Part III. (See end of Document for details)*

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### **39 Consequential and minor modifications and amendments.**

- (1) Part I of Schedule 3 to this Act shall have effect for the purpose of making general adaptations of enactments in consequence of the foregoing provisions of this Act.
- (2) The enactments specified in Part II of the said Schedule 3 shall have effect subject to the modifications and amendments set out in that Part, being modifications and amendments consequential on the foregoing provisions of this Act and other minor amendments.

### **40 Transitional provisions.**

<sup>F11</sup>(1) .....

- (2) No provision contained in this Act or any instrument thereunder shall be construed as prejudicing the powers conferred by section 148 of the <sup>M3</sup>Local Government Act 1933, Part II of the <sup>M4</sup>Local Government Act 1958 or section 84 or 87 of the <sup>M5</sup>London Government Act 1963 (whether as originally enacted or as extended by section 35 of this Act).

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#### **Textual Amendments**

**F11** Ss. 40(1), 41(8), Sch. 3 paras. 9, 19(3), 20(5), 23(2), Sch. 5 repealed by Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt. XI

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#### **Marginal Citations**

**M3** 1933 c. 51.

**M4** 1958 c. 55.

**M5** 1963 c. 33 (81:1).

### **41 Short title, commencement, extent and repeal.**

- (1) This Act may be cited as the Administration of Justice Act 1964.
- (2) Subject to the provisions of Schedule 4 to this Act, Part I of this Act shall come into force on 1st April 1965 except that if the Secretary of State by order appoints an earlier day for the commencement of any provision of the said Part I, that provision shall come into force on that earlier day.
- (3) The following provisions of this Act, that is to say, Part II (except section 31), section 39 and subsection (8) of this section shall come into force on such day as the Secretary of State may by order appoint.
- (4) Different days may be appointed under this section for different purposes of this Act; and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any order under this section, be construed as a reference to the day on which that provision comes into operation.
- (5) Any order under this section may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with the provisions thereby brought into force, including such adaptations of those provisions or any provisions of this Act then in force as appear to him necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order).

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*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1964, Part III. (See end of Document for details)*

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(6) This Act, except section 31 <sup>F12</sup> . . . , shall not extend to Scotland.

(7) This Act, <sup>F13</sup> . . . shall not extend to Northern Ireland.

<sup>F14</sup>(8) . . . . .

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**Textual Amendments**

**F12** Words repealed by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), **Sch. 3** and [Statute Law Repeals Act 1978 \(c. 45\)](#), **Sch. 1 Pt. I**

**F13** Words repealed by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), **Sch. 3**

**F14** Ss. 40(1), 41(8), Sch. 3 paras. 9, 19(3), 20(5), 23(2), Sch. 5 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), **Sch. Pt. XI**

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**Modifications etc. (not altering text)**

**C1** Power of appointment conferred by s. 41(3) fully exercised: [S.I. 1964/864](#) and 1435

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1964, Part III.