Courts Act 1971

1971 CHAPTER 23

An Act to make further provision as respects the Supreme Court and county courts, judges and juries, to establish a Crown Court as part of the Supreme Court to try indictments and exercise certain other jurisdiction, to abolish courts of assize and certain other courts and to deal with their jurisdiction and other consequential matters, and to amend in other respects the law about courts and court proceedings. [12th May 1971]

Extent Information

E1 For extent see s. 59(5)(6)(7).

Commencement Information

I1 Act not in force at Royal Assent see s. 59(2); Act wholly in force at 1. 1. 1972.

[F1]PART I

INTRODUCTORY

Textual Amendments

F1 Pts. I, II (ss. 1–15) repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

1 The Supreme Court.

. . . . . .

2 Location of sittings and business of High Court.

. . . . . .

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

3 Abolition of courts of quarter sessions.

. . . . . .

[F1]PART II

THE CROWN COURT

[F1]4 Establishment of the Crown Court.

. . . . . .

[F1]5 Justices as judges of Crown Court.

. . . . . .

Trial on indictment

[F1]6 Exclusive jurisdiction in trial on indictment.

. . . . . .

[F1]7 Committal for trial on indictment.

. . . . . .

Other jurisdiction

[F1]8 Transfer to Crown Court of quarter sessions jurisdiction.

. . . . . .

[F1]9 Appeals to Crown Court.

. . . . . .

[F1]10 High Court jurisdiction in Crown Court proceedings.

. . . . . .

Trial on indictment and other jurisdiction

[F1]11 Sentences imposed and other decisions made by Crown Court.

. . . . . .

[F1]12 Right of audience.

. . . . . .

Status: *Point in time view as at 03/01/1995.*
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[F1 13 Process to compel appearance before Crown Court.

(1) **[**F2 Any direction to appear and**]** any condition of a recognizance to appear before the Crown Court, and any summons or order to appear before the Crown Court, may be framed so as to require appearance at such time and place as may be directed by the Crown Court, and if a time or place is specified in the **[**F2 direction**]** condition, summons or order, it may be varied by any subsequent direction of the Crown Court.

(2) Where an indictment has been signed although the person charged has not been committed for trial, the Crown Court may issue a summons requiring that person to appear before the Crown Court, or may issue a warrant for his arrest.

F3 (3) . . . . . .

(4) **[**F4 The Crown Court may grant bail to any person**]**—

(a) who has been committed in custody for appearance before the Crown Court, or

(b) who is in custody pursuant to a sentence imposed by a magistrates' court, and who has appealed to the Crown Court against his conviction or sentence, or

(c) who is in the custody of the Crown Court pending the disposal of his case by the Crown Court, or

(d) who, after the decision of his case by the Crown Court, has applied to the Crown Court for the statement of a case for the High Court on that decision, or

(e) who has applied to the High Court for an order of certiorari to remove proceedings in the Crown Court in his case into the High Court, or has applied to the High Court for leave to make such an application,

and the time during which a person is **[**F4 released on**]** bail under any provision of this subsection shall not count as part of any term of imprisonment or detention under his sentence.

(5) Provision may be made by Crown Court rules as respects the powers of the Crown Court relating to bail, including any provision—

F5 **[** (a) except in the case of bail in criminal proceedings, allowing the court, instead of requiring a person to enter into a recognizance to consent to his giving other security,**]**

(b) allowing the court to direct that a recognizance shall be entered into or other security given before a magistrates' court or a justice of the peace, or, if the rules so provide, a person of such other description as is specified in the rules,

(c) prescribing the manner in which a recognizance is to be entered into or other security given, and the persons by whom and the manner in which the recognizance or security may be enforced,

(d) authorising the recommittal, in such cases and by such courts or justices as may be prescribed by the rules, of persons released from custody in pursuance of the powers,

(e) making provision corresponding to sections 94 and 95 of the M1 Magistrates' Courts Act 1952 (varying or dispensing with requirements as to sureties, and postponement of taking recognizances).

Any reference in any enactment to a recognizance shall include, unless the context otherwise requires, a reference to any other description of security given instead of a recognizance, whether in pursuance of paragraph (a) above or otherwise.

(6) The Crown Court, on issuing a warrant for the arrest of any person, may endorse the warrant for bail, and in any such case—

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(a) the person arrested under the warrant shall, unless the Crown Court otherwise directs, be taken to a police station, and

(b) the officer in charge of the station shall release him from custody if he, and any sureties required by the endorsement and approved by the officer, enter into recognizances of such amount as may be fixed by the endorsement.

[[F6]Provided that in the case of bail in criminal proceedings, the person arrested shall not be required to enter into a recognizance.**]**

(7) A person in custody in pursuance of a warrant issued by the Crown Court with a view to his appearance before the Crown Court shall be brought forthwith before either the Crown Court or a magistrates' court, and if he is brought before a magistrates' court—

(a) the court shall commit him in custody or release him on bail until he can be brought or appear before the Crown Court at the time and place appointed by the Crown Court,

(b) if the warrant is endorsed for bail, but the person in custody is unable to satisfy the conditions endorsed, the magistrates' court may vary those conditions, if satisfied that it is proper to do so.

(8) Section 4 of the [M2]Summary Jurisdiction (Process) Act 1881 (execution of process of English courts in Scotland) shall apply to process issued under this section as it applies to process issued under the [M3]Magistrates' Courts Act 1952 by a magistrates' court.

(9) A magistrates' court shall have jurisdiction, and a justice of the peace may act, under or in pursuance of this section whether or not the offence was committed, or the arrest was made, within the court's area, or the area for which he was appointed.

[[F7](10) In this section "bail in criminal proceedings" has the same meaning as in the [M4]Bail Act 1976.**]]**

Textual Amendments

F2 Words inserted by Bail Act 1976 (c. 63), **Sch. 2 para. 48(1)(2)**
F3 S. 13(3) repealed by Bail Act 1976 (c. 63), **Sch. 3**
F4 Words substituted by Bail Act 1976 (c. 63), **Sch. 2 para. 48(1)(3)**
F5 S. 13(5)(a) substituted by Bail Act 1976 (c. 63), **Sch. 2 para. 48(1)(4)**
F6 Proviso added by Bail Act 1976 (c. 63), **Sch. 2 para. 48(1)(5)**
F7 S. 13(10) added by Bail Act 1976 (c. 63), **Sch. 2 para. 48(1)(6)**

Marginal Citations

M1 1952 c. 55.
M2 1881 c. 24.
M3 1952 c. 55.
M4 1976 c. 63.

[F1]14 Practice and procedure: power to make rules.

. . . . . .

[F1]15 Crown Court rules.

. . . . . .

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PART III

JUDGES

16 Appointment of Circuit Judges.

(1) Her Majesty may from time to time appoint as Circuit judges, to serve in the Crown Court and county courts and to carry out such other judicial functions as may be conferred on them under this or any other enactment, such qualified persons as may be recommended to Her by the Lord Chancellor.

(2) The maximum number of Circuit judges shall be such as may be determined from time to time by the Lord Chancellor with the concurrence of the Minister for the Civil Service.

(3) No person shall be qualified to be appointed a Circuit judge **[**[F8]unless—
- (a) he has a 10 year Crown Court or 10 year county court qualification within the meaning of section 71 of the Courts and Legal Services Act 1990;
- (b) he is a Recorder; or
- (c) he has held as a full-time appointment for at least 3 years one of the offices listed in Part IA of Schedule 2.**]**

(4) Before recommending any person to Her Majesty for appointment as a Circuit judge, the Lord Chancellor shall take steps to satisfy himself that that person's health is satisfactory.

(5) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the appointment as Circuit judges of the holders of certain judicial offices, and the supplementary provisions in Part II of that Schedule shall have effect.

Textual Amendments

F8 S. 16(3)(a)–(c) substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 31(1)**

Modifications etc. (not altering text)

C1 S. 16(3)(c) modified by Courts and Legal Services Act 1990 (c. 41, SIF 37, 76:1), s. 125(6), **Sch. 19 para. 5**

17 Retirement, removal and disqualifications of Circuit judge.

(1) Subject to subsections (2) to (4) below, a Circuit judge shall vacate his office at the end of the completed year of service in which he attains the age of seventy-two.

(2) Where the Lord Chancellor considers it desirable in the public interest to retain a Circuit judge in office after the time at which he would otherwise retire in accordance with subsection (1) above, he may from time to time authorise the continuance in office of that judge until such date, not being later than the date on which the judge attains the age of seventy-five, as he thinks fit.

(3) For the purposes of subsection (1) above a person who becomes a Circuit judge by virtue of any provision of paragraph 1 of Schedule 2 to this Act shall be treated as

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completing a year of service on the anniversary of his appointment to the office by virtue of which he becomes a Circuit judge.

(4) The Lord Chancellor may, if he thinks fit, remove a Circuit judge from office on the ground of incapacity or misbehaviour.

(5) . . . . . [F9]

(6) . . . . . [F10]

Textual Amendments

F9 S. 17(5) repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3** and Northern Ireland Assembly Disqualification Act 1975 (c. 25), **Sch. 3 Pt. I**

F10 S. 17(6) repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**

18 Salaries and allowances of Circuit judges.

(1) Subject to Part II of Schedule 2 to this Act, there shall be paid to each Circuit judge such salary as may be determined by the Lord Chancellor with the consent of the Minister for the Civil Service.

(2) Every salary payable under this section—

(a) shall be charged on and paid out of the Consolidated Fund;

(b) shall begin from the date of appointment and accrue due from day to day;

(c) shall be payable at such intervals, not exceeding three months, as the Treasury may determine; and

(d) may be increased, but not reduced, by a further determination under this section.

[F11](3) . . . . . .

[F12](4) . . . . . .

(a) became a Circuit judge by virtue of having held any of the offices specified in paragraph 1 of Schedule 2 to this Act, and

(b) held that office before 10th May 1967 (that is to say before the passing of the [M5]Superannuation (Miscellaneous Provisions) Act 1967).

(5) There shall be paid to Circuit judges out of money provided by Parliament such allowances as the Lord Chancellor may, with the approval of the Minister for the Civil Service, determine.

Textual Amendments

F11 S. 18(3) repealed by Courts and Legal Services Act 1990 (c. 41, SIF 37, 76:1), ss. 84(c), 125(7), **Sch. 20**

F12 S. 18(4) repealed by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**

Modifications etc. (not altering text)

C2 S. 18 modified (9.11.1998) by 1998 c. 42, **s. 18(4)(d)** (with ss. 7(8), 22(5))
S. 18 modified (27.9.1999) by 1999 c. 22, **ss. 68(3)(a)**, 108(3)(b) (with Sch. 14 para. 7(2))

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Marginal Citations

M5 1967 c. 28.

19 [F13](1) . . . . . .

[F14](5) . . . . . .

[F15](6) . . . . . .

(7) The decision of the Minister for the Civil Service shall be final on any question arising with regard to—

(a) the application of any of the provisions of this section to any person, or

[F16](b) . . . . . .

Textual Amendments

F13 S. 19(1)–(4) repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(2), **Sch. 4**

F14 S. 19(5) repealed by Courts and Legal Services Act 1990 (c. 41, SIF 37, 76:1), s. 125(7), **Sch. 20** (subject to a saving in s. 125(6), Sch. 19 para. 10(3))

F15 S. 19(6) repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(2), **Sch. 4**

F16 S. 19(7) paragraphs (*b*) and (*c*) repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(2), **Sch. 4**

20 Judges of county courts.

[[F17](1) Every Circuit judge shall, by virtue of his office, be capable of sitting as a judge for any county court district in England and Wales, and the Lord Chancellor shall assign one or more Circuit judges to each district and may from time to time vary the assignment of Circuit judges among the districts.

(2) Subject to any directions given by or on behalf of the Lord Chancellor, in any case where more than one Circuit judge is assigned to a district under subsection (1) above, any function conferred by or under the [M6]County Courts Act 1959 on the judge for a district may be exercised by any of the Circuit judges for the time being assigned to that district.

(3) The following, that is—

every judge of the Court of Appeal,
every judge of the High Court,
every Recorder,

shall, by virtue of his office, be capable of sitting as a judge for any county court district in England and Wales and if he consents to do so, shall sit as such a judge at such times and on such occasions as the Lord Chancellor considers desirable.

(4) Notwithstanding that he is not for the time being assigned to a particular district, a Circuit judge—

(a) shall sit as a judge of that district at such times and on such occasions as the Lord Chancellor may direct; and

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(b) may sit as a judge of that district in any case where it appears to him that the judge of that district is not, or none of the judges of that district is, available to deal with the case.**]**

(5) So much of Part I of the [M7]County Courts Act 1959 as makes special provision in relation to county court districts within the Duchy of Lancaster shall cease to have effect.

(6) On the appointed day all appointments of temporary and deputy judges of county courts shall terminate and the provisions of the [M8]County Courts Act 1959 relating to such temporary and deputy judges shall cease to have effect.

(7) Nothing in this Act shall affect the operation, in relation to the superannuation and other benefits payable to or in respect of persons who ceased to be judges of county courts before the day appointed for the coming into force of section 16(5) of this Act, of any enactment repealed or amended by this Act.

Textual Amendments

F17 S. 20(1)–(4) repealed (E.W.) by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), **Sch. 4**

Marginal Citations

M6 1959 c. 22.
M7 1959 c. 22.
M8 1959 c. 22.

21 Appointment of Recorders.

(1) Her Majesty may from time to time appoint qualified persons, to be known as Recorders, to act as part-time judges of the Crown Court and to carry out such other judicial functions as may be conferred on them under this or any other enactment.

(2) Every appointment of a person to be a Recorder shall be of a person recommended to Her Majesty by the Lord Chancellor, and no person shall be qualified to be appointed a Recorder unless **[**[F18]he has a 10 year Crown Court or 10 year county court qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990**]**.

(3) The appointment of a person as a Recorder shall specify the term for which he is appointed and the frequency and duration of the occasions during that term on which he will be required to be available to undertake the duties of a Recorder.

(4) Subject to subsection (5) below the Lord Chancellor may, with the agreement of the Recorder concerned, from time to time extend for such period as he thinks appropriate the term for which a Recorder is appointed.

(5) Neither the initial term for which a Recorder is appointed nor any extension of that term under subsection (4) above shall be such as to continue his appointment as a Recorder after the end of the completed year of service in which he attains the age of seventy-two.

(6) The Lord Chancellor may if he thinks fit terminate the appointment of a Recorder on the ground of incapacity or misbehaviour or of a failure to comply with any requirement specified under subsection (3) above in the terms of his appointment.

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(7) There shall be paid to Recorders out of money provided by Parliament such remuneration and allowances as the Lord Chancellor may, with the approval of the Minister for the Civil Service, determine.

Textual Amendments

F18 Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 32(1)**

22 Oaths to be taken by Circuit judges and Recorders.

(1) Subject to the following provisions of this section, every Circuit judge and every Recorder shall take the oath of allegiance and the judicial oath; and the [M9]Promissory Oaths Act 1868 shall have effect as if the officers named in the Second Part of the Schedule to that Act included Circuit judges and Recorders.

(2) Notwithstanding anything in the [M10]Promissory Oaths Act 1871, a Circuit judge shall take the oaths referred to in subsection (1) above before the Lord Chancellor, and a Recorder shall take those oaths before a judge of the Court of Appeal or of the High Court or a Circuit judge.

(3) Nothing in this section shall require an oath to be taken by a person who becomes a Circuit judge in accordance with any provision of Part I of Schedule 2 to this Act.

Marginal Citations

M9 1868 c. 72.
M10 1871 c. 48.

[[F19]23 Circuit judge or Recorder sitting as High Court Judge.

(1) If requested to do so by or on behalf of the Lord Chancellor, a Circuit judge or Recorder shall sit as a judge of the High Court for the hearing of such case or cases or at such place and for such time as may be specified by or on behalf of the Lord Chancellor.

(2) So long as a Circuit judge or Recorder sits as a judge of the High Court in pursuance of a request under this section he shall be treated, subject to subsection (3) below, for all purposes as, and accordingly may perform any of the functions of, a puisne judge of the High Court.

(3) A Circuit judge or Recorder sitting as a judge of the High Court in pursuance of a request under this section shall not be treated as a judge of the High Court for the purpose of any provision made by or under any enactment and relating to—
   (a) the appointment, retirement, removal or disqualification of judges of the High Court,
   (b) the tenure of office and oaths to be taken by such judges, or
   (c) the remuneration, allowances or pensions of such judges.

(4) Where a Circuit judge or Recorder is requested to sit as a judge of the High Court for a period of time then, notwithstanding the expiry of that time, he may attend at the High Court for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case which may have been begun before him

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when sitting as a judge of that court, and for that purpose and for the purpose of any proceedings subsequent thereon he shall be treated as a judge of the High Court.**]**

Textual Amendments

F19 S. 23 repealed (E.W.) by Supreme Courts Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

[[F20]24 Deputy Circuit judges and assistant Recorders.

(1) If it appears to the Lord Chancellor that it is expedient as a temporary measure to make an appointment under this section in order to facilitate the disposal of business in the Crown Court or a county court or official referees' business in the High Court, he may—

(a) appoint to be a deputy Circuit judge, during such period or on such occasions as he thinks fit, any person who has held office as a judge of the Court of Appeal or of the High Court or as a Circuit judge; or

(b) appoint to be an assistant Recorder, during such period or on such occasions as he thinks fit, **[**[F21]any person who has a 10 year Crown Court or 10 year county court qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990.**]**.

(2) Except as provided by subsection (3) below, during the period or on the occasions for which a deputy Circuit judge or assistant Recorder is appointed under this section he shall be treated for all purposes as, and accordingly may perform any of the functions of, a Circuit judge or a Recorder, as the case may be.

(3) A deputy Circuit judge appointed under this section shall not be treated as a Circuit judge for the purpose of any provision made by or under any enactment and relating to the appointment, retirement, removal or disqualification of Circuit judges, the tenure of office and oaths, to be taken by such judges, or the remuneration, allowances or pensions of such judges; and section 21 of this Act shall not apply to an assistant Recorder appointed under this section.

(4) Notwithstanding the expiry of any period for which a person is appointed under this section a deputy Circuit judge or an assistant Recorder, he may attend at the Crown Court or a county court or, **[**[F22]in the case of a deputy Circuit judge, as regards**]** official referees' business, at the High Court for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case which may have been begun before him when sitting as a deputy Circuit judge or an assistant Recorder, and for that purpose and for the purpose of any proceedings subsequent thereon he shall be treated as a Circuit judge or a Recorder, as the case may be.

(5) There shall be paid out of money provided by Parliament to deputy Circuit judges and assistant Recorders appointed under this section such remuneration and allowances as the Lord Chancellor may, with the approval of the Minister for the Civil Service, determine.**]**

Textual Amendments

F20 S. 24 with subsections (1)–(5) substituted (E.W.) for s. 24 with subsections (1)–(6) by Supreme Court Act 1981 (c. 54, SIF 37), **s. 146**

F21 Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 32(2)**

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F22 Words substituted by Administration of Justice Act 1982 (c. 53, SIF 37), **s. 59(3)**

[[F23]25 Official referees' business.

(1) After the appointed day no person shall be appointed to the office of official referee and on and after that day functions conferred on official referees by provisions of rules of the Supreme Court, or by any other provision, shall be discharged in accordance with the provisions of this section.

(2) Such of the Circuit judges as the Lord Chancellor may from time to time determine shall discharge the said functions conferred on official referees.

(3) The cases in which jurisdiction or powers of the High Court or a judge of the High Court may be exercised by official referees, whether by virtue of rules of court made under section 15 of the [M11]Administration of Justice Act 1956 or otherwise, shall be known as "official referees' business", and except where the context otherwise requires, any reference in any enactment, in rules of court or in any other document to an official referee shall, in accordance with this section, be construed as, or where the context requires as including, a reference to a Circuit judge discharging the functions of an official referee.

(4) Subject to rules of court, the distribution of official referees' business, performed in accordance with this section, shall be determined in accordance with directions given by or on behalf of the Lord Chancellor.**]**

Textual Amendments

F23 Ss. 25, 26 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Marginal Citations

M11 1956 c. 46.

PART IV

OFFICERS AND ACCOMMODATION

Modifications etc. (not altering text)

C3 Pt. 4 functions tranferred (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887, arts. 1(2), 4, **Sch. 1**

[[F24]26 Masters and registrars to be appointed by Lord Chancellor.

(1) On and after the appointed day the following officers shall be appointed by the Lord Chancellor, with the concurrence of the Minister for the Civil Service as to numbers and salaries,—

(a) the masters, assistant masters and registrars specified in Part I of Schedule 3 to the [M12]Judicature Act 1925, other than the Master of the Court of Protection (for whose appointment by the Lord Chancellor provision is made by section 100 of the [M13]Mental Health Act 1959);

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(b) the Queen's coroner and attorney and master of the Crown Office;
(c) the registrar, assistant registrars and deputy assistant registrars of criminal appeals;
(d) the admiralty registrar;
(e) chancery registrars and assistant chancery registrars; and
(f) district probate registrars.

(2) The person appointed to the office of Queen's coroner and attorney and master of the Crown Office shall, by virtue of his appointment, be a master of the Supreme Court (Queen's Bench Division).

(3) In section 122 of the Judicature Act 1925 (which relates to certain additional duties of the senior master of the Queen's Bench Division) for the words "The senior master" there shall be subtituted the words "The Lord Chancellor shall appoint one of the masters" and after the word "Division)"there shall be inserted the words "to be the senior master and the person so appointed".

(4) In section 128A of the Judicature Act 1925 (which relates to the office of district probate registrar) for any reference in subsection (2) or subsection (3) to the President of the family dvision thre shall be substituted a reference to the Lord Chancellor.**]**

Textual Amendments

F24 Ss. 25, 26 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Modifications etc. (not altering text)

C4 The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M12 1925 c. 49.
M13 1959 c. 72.

[27 [F25]Administrative and other court staff.

(1) The Lord Chancellor may, with the concurrence of the Treasury as to numbers and salaries, appoint such officers and other staff for the Supreme Court and county courts as appear to him appropriate for the following purposes, namely—
(a) maintaining an administrative court service;
(b) discharging any functions in those courts conferred by or under this or any other Act on officers so appointed; and
(c) generally carrying out the administrative work of those courts.

(2) The principal civil service pension scheme within the meaning of section 2 of the Superannuation [M14]Act 1972 and for the time being in force shall, with the necessary adaptations, apply to officers and staff appointed under subsection (1) above as it applies to other persons employed in the civil service of the State.

(3) If and to the extent that an order made by the Lord Chancellor so provides, the Lord Chancellor may enter into contracts with other persons for the provision for the

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purposes mentioned in subsection (1) above, whether by those persons or by sub-contractors of theirs, of officers and staff for the Supreme Court and county courts.

(4) No order under subsection (3) above shall authorise the contracting out of any functions the discharge of which would constitute—
  (a) making judicial decisions or advising persons making such decisions;
  (b) exercising any judicial discretion or advising persons exercising any such discretion; or
  (c) exercising any power of arrest.

(5) An order under subsection (3) above may authorise the contracting out of any functions—
  (a) either wholly or to such extent as may be specified in the order;
  (b) either generally or in such cases or areas as may be so specified; and
  (c) either unconditionally or subject to the fulfilment of such conditions as may be so specified.

(6) Before making an order under subsection (3) above, the Lord Chancellor shall consult with the senior judges as to what effect (if any) the order might have on the proper and efficient administration of justice.

(7) An order under subsection (3) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(8) References in this section to the contracting out of any functions are references to the Lord Chancellor entering into contracts for the provision of officers and staff for the purpose of discharging those functions.

(9) In this section—

"the senior judges" means the Lord Chief Justice, the Master of the Rolls, the Vice-Chancellor and the President of the Family Division;

"the Supreme Court" includes the district probate registries.**]**

Textual Amendments

F25 S. 27 substituted (3.1.1995) by 1994 c. 40, ss. 76, 82(2), **Sch. 16 para. 2**

Marginal Citations

M14 1972 c. 11.

28 Provision of accommodation.

(1) The Secretary of State for the Environment may with the approval of the Treasury provide, equip, maintain and manage such courts, offices, buildings, judges' lodgings and other accommodation as may be necessary or desirable for carrying on the business of the Supreme Court and county courts.

(2) It is hereby declared that the expression "land necessary for the public service" in—
  (a) section 2 of the [M15]Commissioners of Works Act 1852 (acquisition by agreement), and

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[[F26](b) section 228(1) of the [M16]Town and Country Planning Act 1990 (power of Secretary of State to acquire compulsorily land necessary for the public service)**]**

includes any land which is required to discharge the duties of the said Secretary of State under this section.

(3) The Secretary of State for the Environment may, if he thinks fit, in discharging his duties under this section enter into arrangements with a local or other public authority for the provision of accommodation to be used in part for the purposes set out in this section, and in part for other purposes, including in particular the sittings of a magistrates' court.

(4) Schedule 3 to this Act shall have effect as respects premises formerly used for business of the abolished courts, and judges' lodgings.

Textual Amendments

F26 S. 28(2)(*b*) substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, Sch. 2 para. 25, **Sch. 3**

Marginal Citations

M15 1852 c. 28.

M16 1990 c.8 (**123:1**).

29 Accommodation in City of London.

(1) The courthouse and accommodation which up to the appointed day have been respectively known as the Central Criminal Court and the Mayor's and City of London Court shall continue to be known by those names, and it shall be the duty of the Common Council of the City of London (in this section referred to as "the Common Council") to continue to make the said premises available for use for the sittings and business of those courts respectively.

(2) The Common Council shall not undertake any alteration or extension of the buildings or accommodation which they are to make available for the purpose of the said courts, or provide further accommodation for that purpose, without the consent of the Lord Chancellor.

(3) The duties imposed by this section on the Common Council may at any time be varied, restricted or terminated by agreement between the Lord Chancellor and the Common Council.

30 Advisory committees.

The Lord Chancellor may constitute, on a permanent or temporary basis, one or more advisory committees to advise him on such questions relating to the Supreme Court and county courts as he may from time to time refer to them, and shall appoint the members of any such committee with regard to their knowledge of the work of the courts and social conditions.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

PART V

31—40. ..... [F27]

Textual Amendments

F27 Ss. 31–40 repealed by Juries Act 1974 (c. 23), **Sch. 3**

PART VI

MISCELLANEOUS AND SUPPLEMENTAL

Merger or abolition of certain courts and offices

41 Merger of Palatine Courts with High Court.

(1) On the appointed day—

(a) the Court of Chancery of the county palatine of Lancaster (in this Act referred to as "the Lancaster Palatine Court"), and

(b) the Court of Chancery of the county palatine of Durham and Sadberge (in this Act referred to as "the Durham Palatine Court"),

shall be merged with the High Court and accordingly on and after that day no jurisdiction, whether conferred by statute or otherwise, shall be exercised by the Palatine Courts as such.

(2) The provisions of Part I of Schedule 5 to this Act shall have effect with respect to certain transitional matters consequential on the provisions of this section.

42 Local court for City of London.

(1) The Mayor's and City of London Court, as constituted immediately before the commencement of this Act, is hereby abolished.

(2) For the purpose of establishing a court to exercise so much of the jurisdiction previously exercised by the Mayor's and City of London Court as is appropriate to a county court and for exercising any other jurisdiction which may hereafter be conferred on a county court, the City of London shall, by virtue of this section, become a county court district and accordingly the enactments relating to county courts shall apply in relation to the county court for the City of London as they apply in relation to a county court for any other county court district.

(3) Without prejudice to subsection (1) above, the county court for the district constituted by subsection (2) above shall be known as the Mayor's and City of London Court and the Circuit judge assigned to that district under section 20(1) of this Act shall be known as the judge of the Mayor's and City of London Court.

(4) The provisions of Part II of Schedule 5 to this Act shall have effect with respect to certain transitional matters consequential on the provisions of this section.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

43 Abolition of certain other local courts.

(1) There are hereby abolished the following local courts of record, being those which actively exercise a civil jurisdiction comparable to or greater than that of the county court for the district in which they are situated:—

(a) the Tolzey and Pie Poudre Courts of the City and County of Bristol;

(b) the Liverpool Court of Passage;

(c) the Norwich Guildhall Court; and

(d) the Court of Record for the Hundred of Salford.

(2) The provisions of Part III of Schedule 5 to this Act shall have effect with respect to certain transitional matters consequential on the abolition of the courts specified in subsection (1) above.

44 Abolition of certain offices.

(1) The following offices are hereby abolished:—

(a) chairman and deputy chairman of county quarter sessions; recorder, and deputy, assistant or temporary recorder, of a borough (but not the Recorder of London); clerk and deputy clerk of the peace;

(b) any judicial or other office in a court abolished or merged with the High Court by the preceding provisions of this Part of this Act, other than the office of Vice-Chancellor of the County Palatine of Lancaster;

(c) clerk of assize, circuit bailiff and any other office the duties of which relate exclusively to courts of assize.

(2) The Lord Chancellor may, with the concurrence of the Minister for the Civil Service, by regulations provide for the payment out of money provided by Parliament of compensation to or in respect of persons who suffer loss of employment or loss or diminution of emoluments which is attributable—

(a) to the preceding provisions of this section, or

(b) to the abolition or merger of any court (including courts of assize, courts of quarter sessions and Palatine courts) by this Act, or

(c) to the transfer by this Act of any function to the Lord Chancellor or to any other Minister.

(3) Regulations under this section may—

(a) include provision as to the manner in which and the person to whom any claim for compensation under the regulations is to be made, and for the determination of all questions arising under the regulations,

(b) make special provision for persons who, but for any national service, would be holders of any office or engaged in any employment,

(c) make different provision for different classes of persons and for other different circumstances, and make, or authorise the Lord Chancellor to make, exceptions and conditions,

(d) be framed so as to have effect from a date earlier than the making of the regulations,

but so that regulations having effect from a date earlier than their making shall not place any individual in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

(4) Regulations under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

45 . . . . . F28

Textual Amendments
F28 S. 45 repealed by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), s. 46(3), **Sch. 3**

46 . . . . . F29

Textual Amendments
F29 S. 46 repealed by Patents Act 1977 (c. 37), **Sch. 6**

Costs

47—49. . . . . . F30

Textual Amendments
F30 Ss. 47–49, 51(1) repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

50 . . . . . F31

Textual Amendments
F31 S. 50 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

51 Construction and consequential amendments

(1) F32

(2) Schedule 6 to this Act, which amends enactments about costs, shall have effect.

Textual Amendments
F32 Ss. 47–49, 51(1) repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C5 The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

52 Award of costs where information or complaint is not proceeded with.

(1) . . . . . [F33]

(3) Where—

(a) . . . . . [F34]

(b) a complaint is made to a justice of the peace acting for any area but the complaint is not proceeded with,

a magistrates' court for that area may make such order as to costs to be paid . . . [F35], by the complainant to the defendant as it thinks just and reasonable.

(4) An order under subsection (3) above shall specify the amount of the costs ordered to be paid.

(5) . . . [F35] for the purpose of enforcement an order under subsection (3) above made in relation to a complaint which is not proceeded with shall be treated as if it were an order made under **[**[F36]section 64 of the Magistrates' Courts Act 1980**]** (power to award, and enforcement of, costs in civil proceedings).

Textual Amendments

F33 S. 52(1)(2) repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

F34 S. 52(3)(a) repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

F35 Words repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

F36 Words substituted by Magistrates Courts' Act 1980 (c. 43, SIF 82), s. 154(1), **Sch. 7 para. 96**

Administrative functions of justices

53 Administrative functions of justices.

(1) . . . . . [F37] the following provisions of this section shall have effect with respect to certain administrative functions exercised by courts of quarter sessions and by members of such courts before the day appointed for the purposes of section 3 of this Act.

(2) (a) . . . . . [F38]

(b) . . . . . [F39]

(3) Visiting committees appointed as mentioned in subsection (1) of section 6 of the [M17]Prison Act 1952 (that is to say by courts of quarter sessions for counties and benches of magistrates for boroughs) shall be replaced by boards of visitors appointed under subsection (2) of that section, and accordingly the said section 6 and section 43(4) of the [M18]Prison Act 1952 (which relates to the application of certain provisions of that Act about prisons to remand centres, detention centres and Borstal institutions) shall be amended in accordance with Part II of Schedule 7 to this Act.

Status: *Point in time view as at 03/01/1995.*
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(4) For the purpose of replacing the references to courts of quarter sessions where they occur in the [M19]Licensing Act 1964 in relation to—

(a) . . . . . [F40]

(b) the licensing planning committee for any licensing planning area that consists of or includes the metropolis, as defined in that Act,

the provisions of that Act specified in Part III of Schedule 7 to this Act shall be amended in accordance with that Part of that Schedule.

(5) In paragraph (b) of section 2(2) of the [M20]Police Act 1964 (one-third of police committee for a county police area to be magistrates for the county appointed by quarter sessions) for the words from "magistrates" in the first place where it occurs to the end of the paragraph there shall be substituted the words "appointed from among their own number by the magistrates for the county in accordance with a scheme made by the magistrates' courts committee for, or for an area including, the county and approved by the Secretary of State".

(6) Without prejudice to their effect on appointments made after the commencement of this Act, nothing in [F41]. . . subsection (4) or subsection (5) above shall affect the membership of any [F41]. . . county compensation authority or police committee in existence at the commencement of this Act.

(7) The Secretary of State may by order made by statutory instrument make such amendments as appear to him to be expedient in consequence of the provisions of this Act in—

[F42](a) . . . . . .

(b) any amalgamation scheme within the meaning of Part I of the [M21]Police Act 1964;

and an order under this subsection amending any such amalgamation scheme shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F37 Words repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F38 S. 53(2)(*a*) repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

F39 S. 53(2)(*b*) repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**

F40 S. 53(4)(*a*) repealed (with saving) by Licensing (Alcohol Education and Research) Act 1981 (c. 28, SIF 68A:1), s. 11, **Sch. 2 Pt. I**

F41 Words in s. 53(6) repealed (5.2.1994) by 1993 c. 47, ss. 32, 33(2), **Sch.4**

F42 S. 53(7)(a) repealed (5.2.1994) by 1993 c. 47, ss. 32, 33(2), **Sch.4**

Modifications etc. (not altering text)

C6 The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M17 1952 c. 52.

M18 1952 c. 52.

M19 1964 c. 26.

M20 1964 c. 48

M21 1964 c. 48.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Boroughs: honorary offices

54 Boroughs: honorary offices.

(1) The council of a borough shall have power to appoint a person to be honorary recorder of the borough.

(2) . . . . . [F43]

(3) A person shall not be qualified to hold office as an honorary recorder of a borough . . . [F44] unless he is a Circuit judge or Recorder (that is to say a Recorder appointed under this Act):
Provided that this subsection shall not apply to a borough which immediately before the appointed day—
(a) had power by charter to appoint a recorder of the borough, and
(b) did not have a separate court of quarter sessions.

(4) . . . . . [F43]

Textual Amendments
F43 S. 54(2)(4) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
F44 Words repealed by Local Government Act 1972 (c. 70), **Sch. 30**

Supplemental

55 Financial provisions.

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

(2) There shall be paid out of money provided by Parliament any sums payable by any Minister under or by virtue of this Act.

(3) Any sum payable under this Act to the Lord Chancellor or any other Minister shall be paid into the Consolidated Fund.

(4) In the application of section 3(1) of the [M22]Local Government Act 1966 (variation of rate support grant orders) to a rate support grant order made before the date of the coming into operation of any provision of this Act for a grant period ending after that date, the Minister having power to make orders under the said section 3 shall take into account any relief obtained, or likely to be obtained, by local authorities—
(a) which is attributable to the coming into operation of the said provision of this Act, and
(b) which was not taken into account in making the rate support grant order the variation of which is in question.

The provisions of this subsection are without prejudice to section 3(4) of the said Act of 1966 (under which an order under that section may vary the matters prescribed by a rate support grant order).

Status: *Point in time view as at 03/01/1995.*
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Marginal Citations

M22 1966 c. 42.

56 Minor and consequential amendments, transitional provisions and repeals.

(1) Schedule 8 to this Act (which contains consequential and other amendments) shall have effect.

(2) In the enactments listed in Schedule 9 to this Act (which confer jurisdiction transferred to the Crown Court) for any reference to quarter sessions there shall be substituted a reference to the Crown Court.

This subsection applies to references to quarter sessions however expressed and in particular to any reference to "the next court of quarter sessions", or to the quarter sessions for any particular area, or to any sessions which, by section 13(14) of the [M23]Interpretation Act 1889, were included in the expression "court of quarter sessions".

(3) Schedule 10 to this Act, which contains transitional provisions, shall have effect.

(4) The enactments specified in Schedule 11 to this Act (which includes certain obsolete or unnecessary enactments) are hereby repealed to the extent specified in the third column of that Schedule, but subject to any proviso at the end of that Schedule.

Modifications etc. (not altering text)

C7 The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M23 1889 c. 63.

57 Interpretation of this Act and rules of construction of other Acts.

(1) In this Act, unless the context otherwise requires—

the "appointed day" means the commencement of this Act which, as provided by this Act, may be a different date for different purposes,

. . . . . [F45]

"sentence", in relation to an offence, includes any order made by a court when dealing with an offender including—

(a) a hospital order under **[**[F46]Part III of the Mental Health Act 1983**]**, with or without an order restricting discharge, and

(b) a recommendation for deportation made when dealing with an offender.

(2) . . . . . [F47]

(3) Except where the context otherwise requires, in this or any other Act—

(a) . . . . . [F48]

Status: *Point in time view as at 03/01/1995.*
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(b) any reference to the courts abolished by this Act shall include a reference to the Lancaster Palatine Court and the Durham Palatine Court (which are abolished on merger with the High Court).

(4) Except where the context otherwise requires, in any Act passed after this Act the expression "recorder" shall not include the Recorder of London or an honorary recorder of a borough.

(5) Any power of making orders contained in any provision of this Act shall include power to vary or revoke an order made under that provision.

(6) It is hereby declared that any power conferred by this Act on the Lord Chancellor or any other authority to give directions includes a power to vary or rescind any direction so given.

(7) Any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment, including this Act.

Textual Amendments

F45 Definition of "the Judicature Act 1925" repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

F46 Words substituted by Mental Health Act 1983 (c. 20, SIF 85), s. 148(1), **Sch. 4 para. 28**

F47 S. 57(2) repealed by Criminal Law Act 1977 (c. 45), **Sch. 13**

F48 S. 57(3)(*a*) repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

58 . . . . . **F49**

Textual Amendments

F49 S. 58 repealed by Northern Ireland Constitution Act 1973 (c. 36), s. 42, **Sch. 6 Pt. I**

59 Short title, commencement and extent.

(1) This Act may be cited as the Courts Act 1971.

(2) This Act shall come into force on such date as the Lord Chancellor may by order in a statutory instrument appoint, and different dates may be appointed for different provisions of this Act, or for different purposes.

(3) Without prejudice to the other transitory provisions of this Act, any order under this section may make such transitional provision as appears to the Lord Chancellor 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, and such savings of the provisions repealed by this Act, as appear to him to be necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order).

(4) A statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

(5) The following provisions of this Act, and no others, shall extend to Scotland—

(a) section 13(8) and, so far as it relates to the Court of Session, section 46,

(b) . . . . . [F50]

(c) any provision of this Act affecting the operation of the law of Scotland in relation to courts in England and Wales,

(d) the provisions of this Act about interpretation and commencement,

(e) Schedule 8 to this Act so far as it amends section 14 of the [M24]Indictable Offences Act 1848, . . . [F51]

(6) The following provisions of this Act, and no others, shall extend to Northern Ireland—

(a) section 46 of this Act except so far as it relates to the Court of Session . . . [F52]

(b) . . . . . [F53]

(c) any provision of this Act affecting the operation of the law of Northern Ireland in relation to courts in England and Wales,

(d) the provisions of this Act about interpretation and commencement,

(e) Schedule 8 to this Act so far as it amends section 12 of the [M25]Indictable Offences Act 1848 and section 30 of the [M26]Petty Sessions (Ireland) Act 1851.

(7) Schedule 8 to this Act shall extend to the Isle of Man and the Channel Islands so far as it amends section 13 of the [M27]Indictable Offences Act 1848.

Textual Amendments

F50 S. 59(5)(b) repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3**

F51 Words repealed by Criminal Law Act 1977 (c. 45), s. 65(7), **Sch. 13**

F52 Words repealed by Northern Ireland Constitution Act 1973 (c. 36), s. 42, **Sch. 6 Pt. I**

F53 S. 59(6)(b) repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3** and Northern Ireland Assembly Disqualification Act 1975 (c. 25), **Sch. 3 Pt. I**

Modifications etc. (not altering text)

C8 Power of appointment conferred by s. 59(2) exercised by S.I. 1971/1151

Marginal Citations

M24 1848 c. 42.

M25 1848 c. 42.

M26 1851 c. 93.

M27 1848 c. 42.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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

[F54][F54]SCHEDULE 1

Textual Amendments

F54 Sch. 1 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

. . . . . [F54]

SCHEDULE 2

Section 16.

HOLDERS OF CERTAIN EXISTING JUDICIAL OFFICES

PART I

CERTAIN OFFICE-HOLDERS TO BE CIRCUIT JUDGES

1 (1) On the appointed day the persons then holding office as—

Vice-Chancellor of the County Palatine of Lancaster,
Recorder of London, and
Common Serjeant

shall, by virtue of their offices, become Circuit judges.

(2) On the appointed day any person who, immediately before that day, held one of the following judicial offices (being offices to which no further appointments are to be made or which cease by virtue of this Act) shall, by virtue of this paragraph, become a Circuit judge:—

Official Referee to the Supreme Court
Recorder of Liverpool
Recorder of Manchester
Additional Judge of the Central Criminal Court
Assistant Judge of the Mayor's and City of London Court
County Court Judge
Whole-time Chairman or whole-time Deputy Chairman of courts of quarter sessions for Greater London, Cheshire, Durham, Kent and Lancashire.

2 (1) Any person who, being appointed Recorder of London after the appointed day, is appointed by Her Majesty to exercise judicial functions shall, by virtue of that appointment, be a Circuit judge.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

(2) Any person who after the appointed day is appointed by Her Majesty to be the Common Serjeant shall, by virtue of that appointment, be a Circuit judge.

3 (1) Subject to sub-paragraph (2) below, section 17 of this Act shall apply to the holder of any judicial office who becomes a Circuit judge as mentioned in this Part of this Schedule as it applies to a Circuit judge appointed under section 16 of this Act.

(2) In the case of any person who becomes a Circuit judge as mentioned in this Part of this Schedule, other than a person who held an office mentioned in paragraph 1(2) above which ceases by virtue of this Act, nothing in section 17 of this Act shall have the effect of depriving him of the office by virtue of which, or by virtue of his appointment to which, he becomes a Circuit judge.

[[F55]PART IA

CERTAIN OFFICE–HOLDERS ELIGIBLE FOR APPOINTMENT AS CIRCUIT JUDGES

Textual Amendments
F55 Sch. 2 Pt. IA inserted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 31(2)**

Social Security Commissioner appointed under section 97 of the [M28]Social Security Act 1975.

Marginal Citations
M28 1975 c.14 (**113:1**).

Marginal Citations
M28 1975 c.14 (**113:1**).

President of Social Security Appeal Tribunals and Medical Appeal Tribunals or Chairman of such a tribunal appointed under Schedule 10 to that Act.

President of Industrial Tribunals or chairman of such a tribunal appointed under the Industrial Tribunals (England and Wales) Regulations [M29]1965.

Marginal Citations
M29 S.I. 1965/1101.

President or member of the Immigration Appeal Tribunal appointed under Schedule 5 to the Immigration Act [M30]1971.

Marginal Citations
M30 1971 c.77 (**62**).

Status: *Point in time view as at 03/01/1995.*
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Marginal Citations
M30 1971 c.77 (**62**).

Member (excluding the President) of the Lands Tribunal appointed under section 2 of the Lands Tribunal Act [M31]1949.

Marginal Citations
M31 1949 c.42 (**127**).

President of Pensions Appeal Tribunals appointed under the Schedule to the Pensions Appeal Tribunals Act [M32]1943.

Marginal Citations
M32 1943 c.39 (**101A:2**).

Marginal Citations
M32 1943 c.39 (**101A:2**).

President of Value Added Tax Tribunals or chairman of such a tribunal appointed under Schedule 8 to the Value Added Tax Act [M33]1983.

Marginal Citations
M33 1983 c.55 (**40:2**).

Special Commissioner appointed under section 4 of the Taxes Management Act [M34]1970.

Marginal Citations
M34 1970 c.9 (**63:1**).

Coroner appointed under section 2 of the Coroners Act [M35]1988.

Marginal Citations
M35 1988 c.13 (**33**).

Marginal Citations
M35 1988 c.13 (**33**).

Master of the Queen's Bench Division.

Status: *Point in time view as at 03/01/1995.*
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Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.

Admiralty Registrar.

Master of the Chancery Division.

Registrar in Bankruptcy of the High Court.

Taxing Master of the Supreme Court.

District judge of the principal registry of the Family Division.

Registrar of Civil Appeals.

Master of the Court of Protection.

District judge.**]**

Stipendiary magistrate.

PART II

SUPPLEMENTARY PROVISIONS WITH RESPECT TO CERTAIN JUDICIAL OFFICERS

4 (1) If and so long as any holder of the office of Vice-Chancellor of the County Palatine of Lancaster is also a Circuit judge (whether by virtue of paragraph 1 above or otherwise), he shall take judicial precedence next after the judges of the High Court.

(2) Notwithstanding the repeal by this Act of section 14(1) of the [M36]Administration of Justice Act 1928, paragraph (d) of that subsection (terms of appointment of Vice-Chancellor of the County Palatine of Lancaster) shall continue to apply in relation to the person who is the holder of that office on the appointed day (but not in relation to any subsequent holder of that office) and shall on and after that day apply in relation to him not only in his capacity as Vice-Chancellor but also in his capacity as a Circuit judge; and accordingly, and without prejudice to paragraph 3(2) above, section 17(4) of this Act shall not apply in relation to that person.

(3) Without prejudice to paragraph 8 below, the Lord Chancellor, with the consent of the Minister for the Civil Service, may make such arrangements as seem to him to be appropriate to secure that the superannuation benefits payable to or in respect of the person who, on the appointed day, holds office as Vice-Chancellor of the County Palatine of Lancaster are not less favourable than those which he enjoyed immediately before the appointed day; and any such arrangements may provide for the cost of those benefits to be defrayed in part by the Duchy of Lancaster.

(4) Rules under section 39A of the [M37]Superannuation Act 1965 (provision for superannuation benefits payable to or in respect of persons employed in two or more judicial offices of specified descriptions) may make provision with respect to the superannuation benefits payable to or in respect of any person who, immediately before the appointed day, held office as registrar or assistant registrar of the Lancaster Palatine Court, as if his office were included in those specified in paragraphs (a) to (i) of subsection (3) of that section.

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Marginal Citations
M36 1928 c. 26.
M37 1965 c. 74.

5 Nothing in section 16, section 18(1) or section 19 of this Act shall apply to the manner of appointment or remuneration of, or the pensions and other benefits payable to or in respect of, any person holding office as Recorder of London or Common Serjeant and accordingly those matters shall continue to be provided for as mentioned in Parts II and III of the [M38]City of London (Courts) Act 1964.

Modifications etc. (not altering text)
C9 Paras. 5–8 extended by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(2)**

Marginal Citations
M38 1964 c. iv.

6 After the appointed day no person shall be appointed an additional judge of the Central Criminal Court under . . . [F56] the City of London (Courts) Act 1964, but section 7 of that Act (remuneration and pensions of additional judges and holders of certain other judicial offices) shall continue on and after the appointed day to apply in relation to any person who, immediately before that day, held office as such an additional judge, notwithstanding that he becomes a Circuit judge, and accordingly sections 18(1) and 19 of this Act shall not apply in relation to any such person.

Textual Amendments
F56 Words repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. XIII**

Modifications etc. (not altering text)
C10 Paras. 5–8 extended by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(2)**

7 On the appointed day section 14 of the [M39]City of London (Courts) Act 1964 (appointment and removal of the assistant judge of the Mayor's and City of London Court) shall cease to have effect, but so much of section 18(3) of that Act as provides for the payment of the remuneration of, and any pension or other benefits payable to or in respect of, the assistant judge shall continue on and after the appointed day to apply to the person who immediately before that day held office as the assistant judge of the Mayor's and City of London Court, and accordingly sections 18(1) and 19 of this Act shall not apply in relation to that person.

Modifications etc. (not altering text)
C11 Paras. 5–8 extended by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(2)**

Marginal Citations
M39 1964 c. iv.

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8 Notwithstanding anything in sections 17 to 19 of this Act, the Lord Chancellor shall make such arrangements as seem to him to be appropriate to secure that, in the case of any person who becomes a Circuit judge as mentioned in paragraph 1 above and whose salary as such is charged on and paid out of the Consolidated Fund, so long as he continues to serve as a Circuit judge his remuneration and the other terms and conditions of his service are not less favourable than those which he enjoyed immediately before the appointed day.

Modifications etc. (not altering text)

C12 Paras. 5–8 extended by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(2)**

9 (1) Subject to the preceding provisions of this Part of this Schedule, for the purpose of determining—

(a) the annual pension payable to a Circuit judge under section **[**[F57]5 of the Judicial Pensions Act 1981**]**, or

(b) any such derivative benefit payable to or in respect of him as is referred to in **[**[F58]section 19(5) of this Act**]**,

service before the day appointed for the purposes of section 16 of this Act in any of the judicial offices specified in paragraph 1(2) above, and service (before 1st April 1965) as a salaried chairman or deputy chairman of the court of quarter sessions for the county of London or of Middlesex, shall be treated as service as a Circuit judge.

(2) Subject to sub-paragraph (3) below, in any case where—

(a) any such pension or derivative benefit as is referred to in sub-paragraph (1) above becomes payable to or in respect of any person; and

(b) the period of that person's service which falls to be taken into account in determining the amount of that pension or benefit includes, by virtue of sub-paragraph (1) above, service in any judicial office specified in paragraph 1(2) above,

rules made by the Lord Chancellor with the consent of the Minister for the Civil Service may make provision for the payment of contributions towards the cost of the superannuation benefits payable to or in respect of that person by any authority which, before the appointed day, was responsible, directly or indirectly, for meeting the whole or any part of the cost of the superannuation benefits payable to or in respect of former holders of that office.

(3) Rules made under sub-paragraph (2) above shall not require the payment of any contribution in the case of a person who serves at least fifteen completed years as a Circuit judge, disregarding any period of service taken into account by virtue of sub-paragraph (1) above.

(4) The power to make rules under sub-paragraph (2) above shall be exercisable by statutory instrument, and any statutory instrument containing any such rules shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F57 Words substituted by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(3)**

F58 Words substituted by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(1), **Sch. 3 para. 6(1)(4)**

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SCHEDULE 3

Section 28.

PREMISES FORMERLY USED FOR BUSINESS OF ABOLISHED COURTS

Right of use for Supreme Court and county courts

1 (1) This paragraph has effect—

(a) as respects any premises which were, up to the appointed day, being used to any extent for business of the abolished courts, and

(b) as respects the local authority who were providing the accommodation for the abolished courts,

and has effect in particular to ensure that court proceedings, including proceedings in cases in the course of hearing on the appointed day, can be conducted without any interruption or interference in the transition from the jurisdiction of the abolished courts to the jurisdiction conferred by this Act.

(2) On and after the appointed day it shall be the duty of the authority, up to the extent to which the premises were being used for business of the abolished courts, to make the premises available for Supreme Court or county court business, together with all the fittings, and all furniture, office and other equipment and other chattels previously made available for business of the abolished courts.

(3) If the premises, or any larger premises of which they form part, consist of or comprise a courtroom used or available for use as a magistrates' court (whether or not it has also been used for business of the abolished courts), and at any time the Lord Chancellor so directs, it shall be the duty of the authority to make the courtroom available for Supreme Court or county court business to the exclusion of all other business, or to such extent as the Lord Chancellor may direct.

A direction under this sub-paragraph may also apply to all other parts of the building used or available for use for the sitting or other business of the magistrates' court, together with all the fittings, and all furniture, office and other equipment and other chattels, in the courtroom or elsewhere, previously available for business of the magistrates' court.

(4) Before giving a direction under sub-paragraph (3) above the Lord Chancellor shall consult the Secretary of State, the local authority and any magistrates' courts committee concerned.

(5) Where under the preceding provisions of this paragraph the authority are to make any premises available, it shall be their duty to heat, light, clean and maintain them.

(6) The appropriate Minister shall pay to the authority—

(a) the reasonable and necessary charges for heating, lighting and cleaning premises made available under this paragraph, and a fair contribution to the cost of any custodial services, and

(b) a fair contribution in respect of the maintenance and repair of the building, and

(c) where the authority pay rent for the premises, a contribution amounting to a fair proportion of the rent, and

(d) where the Lord Chancellor gives a direction under sub-paragraph (3) above, such compensation for any costs of removal and costs of initial adaptation

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of any alternative accommodation incurred by the authority, as is reasonable in the circumstances,

and if and so far as greater use is made of any premises for Supreme Court and county court business as compared with their use for business of the abolished courts, the appropriate Minister shall make such payment to the authority by way of rent as is reasonable having regard both to the rent which the authority have to pay for alternative accommodation, and to the rent which would be commanded by the accommodation (whether the use was at all times or part-time only) which the authority have had to surrender.

(7) Where under the preceding provisions of this paragraph the authority are to make available any fittings, or furniture, office or other equipment or other chattels—

(a) it shall be their duty to keep them in order and repair and to clean them;

(b) the appropriate Minister shall pay their reasonable and necessary charges under paragraph (a) above;

(c) if and so far as greater use is made of any such fittings or chattels for Supreme Court and county court business as compared with their use for business of the abolished courts, the appropriate Minister shall make such payment to the authority by way of hire payments as is reasonable, but not so as to make any payment in respect of anything taken into account in paying rent under sub-paragraph (6) above.

(8) The appropriate Minister shall also make such payment, if any, as is authorised by paragraph 4 below.

(9) The obligations imposed by this paragraph on any local authority shall terminate on the expiration of a period of ten years beginning with the appointed day, or, in the case of any particular premises, at such earlier time as may be agreed by the Lord Chancellor and the local authority subject to those obligations as respects the premises.

(10) Where sub-paragraph (1)(b) above applies to two or more local authorities, the obligations imposed by this paragraph shall be shared among them in a way corresponding to that in which they provided for the abolished courts, and, where a direction is given under sub-paragraph (3) above, for any magistrates' court.

Premises acquired by Secretary of State

2 (1) Before any premises used for the business of the abolished courts are purchased by the Secretary of State, the Lord Chancellor shall consult any magistrates' courts committee concerned.

(2) A local authority owning any premises used for the business of the abolished courts shall have power to sell, lease or otherwise dispose of the premises to the Secretary of State, notwithstanding that they are subject to any trust, or have been dedicated to the public.

(3) Sub-paragraph (2) above shall not be construed as authorising the extinction or curtailment of any public right of way over any part of premises so acquired.

(4) It is hereby declared that any responsibility of a local authority to provide a court room or other accommodation for any magistrates' court remains unaffected by the acquisition, whether by agreement or compulsorily, by the Secretary of State of any

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premises used for any such purpose, and accordingly where the Secretary of State acquires any premises the power of the Secretary of State to make the premises available for continued use, to any extent, by a magistrates' court does not affect the local authority's responsibility, or absolve them from the duty to pay a proper rent for the accommodation, on such terms and subject to such conditions as may be agreed.

Compulsory purchase

3 (1) This paragraph has effect where—

(a) the Secretary of State, not later than the expiration of a period of three years beginning with the appointed day, gives notice in writing to a local authority of his intention to acquire from that local authority (by compulsory purchase or otherwise) any premises which, up to the appointed day, were being wholly or mainly used for business of the abolished courts or other court purposes, and

(b) the Secretary of State, within the period of ten years beginning with the appointed day, makes a compulsory purchase order authorising the acquisition by him of, or of an interest or estate in, those premises or any part of them.

(2) If the Lord Chancellor is satisfied that the whole of the land comprised in the compulsory purchase order was, up to the appointed day, exclusively used for business of the abolished courts, and so certifies, **[**[F59]sections 17 and 18 of the Acquisition of Land Act 1981**]** (special parliamentary procedure) shall not apply to the order.

(3) The compulsory purchase order may be framed so as also to apply to all or any fittings, furniture, equipment and other chattels in, or usually kept or used in, so much of the premises as was, up to the appointed day, being used for business of the abolished courts, or for the business of a magistrates' court, and all the provisions of the said **[**[F60]Act of 1981**]**, of the [M40]Land Compensation Act 1961 and of the [M41]Compulsory Purchase Act 1965 shall have effect accordingly, and subject to any necessary modifications.

(4) If the whole of the land comprised in the compulsory purchase order was, up to the appointed day, exclusively used for business of the abolished courts,—

(a) no compensation shall be payable in respect of the interest or estate of the local authority in the land, but without prejudice to any right to compensation for severance or other injurious affection in respect of any land not acquired, and

(b) no compensation shall be payable in respect of the interest of the local authority in any chattels to which the compulsory purchase order applies by virtue of sub-paragraph (3) above.

(5) Where sub-paragraph (4) above does not apply, the compensation otherwise payable shall be reduced by such amount as will, on a just assessment, secure that no compensation is payable in respect of the land or any chattels to the extent that the land, or any such chattel, was used for business of the abolished courts.

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Textual Amendments

F59 Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34(1), **Sch. 4 para. 19**(*a*)

F60 Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34(1), **Sch. 4 para. 19**(*b*)

Marginal Citations

M40 1961 c. 33.

M41 1965 c. 56.

Loan charges

4 (1) Where any premises were, up to the appointed day, being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the local authority an amount equal to the interest element in any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period in which the premises are made available under paragraph 1 of this Schedule.

(2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above as is just having regard to the extent to which the premises were so used respectively for business of the abolished courts, and for other purposes (and this sub-paragraph shall be applied without regard to any direction under paragraph 1(3) of this Schedule requiring the premises to be made available to an extent greater than that required under paragraph 1(2)).

5 (1) Where the Secretary of State acquires from a local authority, whether compulsorily or by agreement, any premises which, up to the appointed day, were being used exclusively for business of the abolished courts, the appropriate Minister shall pay to the authority—

(a) a sum equal to any loan charge paid by the local authority in respect of the premises, being a loan charge falling due in the period from the beginning of April 1970 to the relevant date, together with

(b) the principal sum outstanding at the relevant date,

but adjusting the payment so as to prevent any amount being paid to the local authority both under this paragraph and under the last preceding paragraph.

In this sub-paragraph "the relevant date" means the date of acquisition or such other date as may be agreed by the appropriate Minister and the local authority.

(2) If the premises were not exclusively so used, the appropriate Minister shall pay to the local authority such proportion of the amount payable under sub-paragraph (1) above as is just having regard to the extent to which the building was so used respectively for business of the abolished courts, and for other purposes.

6 (1) For the purposes of this Schedule "loan charge" means any sum due by way of repayment of capital, or payment of interest, in respect of a liability incurred to meet capital expenditure in acquiring, providing, reconstructing or altering the premises in question.

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(2) If the Treasury so direct, the provisions of this Schedule about loan charges shall be applied in any case where, in the opinion of the Treasury, the financial arrangements made by a local authority in connection with any capital expenditure are equivalent to the incurring of a capital liability and the discharge of that liability by paying loan charges.

(3) The two last preceding paragraphs, and this paragraph, shall apply in relation to any loan charge in respect of any fittings, or furniture, office or other equipment or other chattels, made available under this Schedule, or acquired by the Secretary of State, as they apply to premises so made available or acquired, but subject to any necessary modifications.

Premises in which more than one local authority are interested

7 (1) If a compulsory purchase order authorises acquisition of the interest or estate of more than one local authority, whether or not each of them were using the premises to discharge obligations as respects the abolished courts, the notice under paragraph 3(1)(a) above shall be given to each of them.

(2) Sub-paragraphs (4) and (5) of paragraph 3, and paragraphs 4, 5 and 6 of this Schedule shall not apply to a local authority who, although having an interest or estate in the premises, were not using the premises to discharge any obligation to provide accommodation for the abolished courts.

This sub-paragraph is without prejudice to the application of the said provisions to the local authority in relation to any other premises.

(3) If different parts of the premises were used for different abolished courts, sub-paragraph (2) above shall be applied to the different parts of the premises as if the parts were different premises.

There shall be made all such apportionments of compensation for compulsory purchase and of loan charges and other sums as are required to give effect to this sub-paragraph, and to take account of ancillary accommodation and of the degree to which it served the respective courts.

Termination of obligation to provide courthouse or sessions-house

8 Any obligation imposed on any authority by law or custom to provide an assize courthouse, or a sessions-house for a court of quarter sessions, or a courthouse for any other court abolished by this Act, shall be terminated on the appointed day.

Judges' lodgings

9 (1) The duties and responsibilities of sheriffs, and of local authorities, as respects the provision and maintenance of judges' lodgings shall, subject to the provisions of this paragraph, remain in force after the appointed day, and the accommodation provided in discharge of those duties shall be at the disposal of all judges, but subject to such directions, if any, as may be given by the Lord Chancellor.

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(2) A sheriff or other authority shall be entitled to be reimbursed out of money provided by Parliament for any expenditure incurred by the authority in the performance of duties in pursuance of this paragraph.

(3) All the said duties and responsibilities shall be terminated at the expiration of a period of three years beginning with the appointed day, or in the cases specified in the following provisions of this paragraph, at an earlier date.

(4) If the Lord Chancellor is satisfied that any particular accommodation will cease to be needed, he may by notice to the sheriff or authority terminate the duties and responsibilities as respects that accommodation on the date specified in the notice.

(5) If any particular accommodation is comprised in premises acquired by the Secretary of State, the duties and responsibilities as respects that accommodation shall terminate at the time of acquisition.

Reference of disputes to Lands Tribunal

10 (1) Any dispute between a Minister and a local authority as to whether any, and if so what, amount is payable under this Schedule shall be referred to and determined by the Lands Tribunal.

(2) Where any question of disputed compensation under the [M42]Compulsory Purchase Act 1965 is referred to the Lands Tribunal, any related question referable under sub-paragraph (1) above shall, so far as practicable, be considered and disposed of by the Lands Tribunal on the same occasion.

Marginal Citations
M42 1965 c. 56.

Exclusion of premises in City of London

11 Nothing in this Schedule applies to any premises in the City of London.

Supplemental

12 (1) In this Schedule, unless the context otherwise requires—

the "appropriate Minister" means either the Secretary of State or the Lord Chancellor, and, where a liability to make any payment is imposed on the appropriate Minister, it shall be the liability of either of them, or divided between them, as they may agree with the concurrence of the Treasury.

"business of the abolished courts" means the holding of—

(a) a court of assize or court of quarter sessions, or
(b) any other court abolished by this Act,

and any official business in connection with the work of any such court;

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"local authority" has the same meaning as in the **[**[F61]Acquisition of Land Act 1981**]**,

"Supreme Court and county court business" includes any official business in connection with the work of any such court.

(2) Any reference in this Schedule to use for business of the abolished courts, or for Supreme Court or county court business, includes use for any purpose ancillary to that business, and includes in particular use of a car park by officials and members of the public when attending in connection with any such business, and in determining the extent of use of any premises, account shall be taken of the periods when use is made of the premises, the degree of use of the premises, and the availability of the premises for other purposes when not so used.

(3) In determining for the purposes of this Schedule what use was made of any premises up to the appointed day, account shall primarily be taken of use in the two years ending with the appointed day, but allowing for the periodical or seasonal nature of the sittings of courts of assize or other courts, and where the degree of use is different in the two years, making an estimate of the average use.

(4) If on the appointed day any building is in course of construction which is designed and intended for use, to any extent, for business of the abolished courts, this Schedule shall, except where the context otherwise requires, apply as if it were a completed building being used up to the appointed day for the purposes for which it is intended.

Textual Amendments

F61 Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), s. 34(1), **Sch. 4 para. 1** Table

[F62][F62]SCHEDULE 4

Textual Amendments

F62 Sch. 4 repealed by Juries Act 1974 (c. 23), **Sch. 3**

. . . . . [F62]

Status: *Point in time view as at 03/01/1995.*
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SCHEDULE 5

Sections 41 to 43.

TRANSITIONAL PROVISIONS CONSEQUENTIAL ON MERGER OR ABOLITION OF CERTAIN COURTS

PART I

THE PALATINE COURTS

Interpretation

1 In this Part of this Schedule—

"the Palatine Court" means the Lancaster Palatine Court or the Durham Palatine Court, as the case may require; and

"the relevant date", in relation to the Palatine Court, means the date on which it ceases to exercise any jurisdiction by virtue of section 41(1) of this Act.

Pending Proceedings

2 (1) Subject to any provision made (whether before or after the relevant date) by Rules of the Supreme Court,—

(a) any proceedings which had been begun in the Palatine Court before the relevant date may be continued on and after that date in the High Court as if they had been begun in the High Court; and

(b) anything done in accordance with the rules applicable to proceedings in the Palatine Court shall be treated as having been done in accordance with the rules applicable to corresponding proceedings in the High Court.

(2) Any act, judgment or order of the Palatine Court in any proceedings shall have the like effect; and further proceedings may be taken in respect of it, as if it were an act, judgment or order of the High Court.

Fees

3 (1) All fees and other payments which, having become due in the Lancaster Palatine Court in accordance with any order made under the Chancery of Lancaster Acts 1850 to 1961, had not been paid before the relevant date, shall on and after that date become due to the Duchy of Lancaster, and all money which immediately before that date stood to the credit of, or was awaiting payment into any of the Fee Fund Accounts of the Lancaster Palatine Court shall on that date vest in the Duchy.

(2) Any money due to the Duchy of Lancaster by virtue of sub-paragraph (1) above shall be recoverable as if it were due to the Duchy under an order of the High Court; and all sums received by the Duchy by virtue of that sub-paragraph shall form part of the revenue of the Duchy.

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(3) All fees and similar payments which, having become due in the Durham Palatine Court, had not been paid before the relevant date shall on and after that date become due to the registrar of the Durham district registry of the High Court as fees in the High Court, and all money received as fees or similar payments in the Durham Palatine Court and held immediately before the relevant date by the registrar of the Durham district registry of the High Court in his capacity as Registrar of the Durham Palatine Court shall be dealt with by him, on and after that date, as High Court fees received by him in his capacity as a district registrar.

Funds in court

4 (1) On the relevant date all investments and money which, immediately before that date, constituted the funds in court in the Palatine Court shall, by virtue of this Act and without any transfer or assignment, be vested in the Accountant General of the Supreme Court as funds in the Supreme Court.

(2) In dealing with any investments and money vested in him by virtue of sub-paragraph (1) above, the Accountant General of the Supreme Court shall comply with any directions which the Lord Chancellor may consider it expedient to give to him with a view to securing the transition of the administration of the funds in court in the Palatine Court to the Supreme Court.

(3) The transfer of any funds under sub-paragraph (1) above shall not affect the right of any person in or to any of those funds, and any such right may be enforced on and after the appointed day as if it had always been a right in respect of funds in the Supreme Court.

(4) On the relevant date there shall be vested in the Accountant General of the Supreme Court any outstanding liabilities of the Lancaster Palatine Court in respect of sums which at one time formed part of the funds in court in the Lancaster Palatine Court but which ceased to do so at some time prior to that date; and any amounts required to meet any such liabilities shall be paid out of the Consolidated Fund to the Accountant General.

(5) On the relevant date section 52 of the [M43]Administration of Justice Act 1956 (provision for transfer to charities and ecclesiastical corporations of certain funds in the Lancaster Palatine Court) shall cease to have effect and any funds which, immediately before that date, might have been dealt with under that section may, on and after that date, be dealt with under section 15 of the [M44]Administration of Justice Act 1928 (corresponding provision for transfer of funds in the Supreme Court).

Marginal Citations

M43 1956 c. 46.

M44 1928 c. 26.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Court Records

5 All records of the Palatine Court shall on and after the relevant date be deemed to be records of the Supreme Court and shall be dealt with accordingly under the [M45]Public Records Act 1958.

Marginal Citations
M45 1958 c. 51.

PART II

MAYOR'S AND CITY OF LONDON COURT

Interpretation

6 In this Part of this Schedule—

"the City Court" means the Mayor's and City of London Court;

"the county court" means the county court for the City of London established by virtue of section 42(2) of this Act;

"the relevant date" means the date on which the City Court is abolished.

Pending proceedings

7 (1) Any proceedings which had been begun in the City Court before the relevant date may be continued on and after that date in the county court, whether or not the proceedings could have been begun in a county court.

(2) Where, by virtue of sub-paragraph (1) above, proceedings which would not otherwise be within the jurisdiction of a county court are continued in the county court,—

(a) the county court shall have the like jurisdiction in respect of the proceedings as if it were the City Court and as if section 42(1) of this Act had not been enacted; and

(b) notwithstanding the repeals effected by this Act, section 19(2) of the [M46]City of London (Courts) Act 1964 (procedure for non-county court cases) shall apply to the proceedings with the modification that for any reference in the enactment or rules referred to in that section to the City Court there shall be substituted a reference to the county court, and section 15 of the [M47]Administration of Justice (Miscellaneous Provisions) Act 1938 (appeals from the City Court) shall apply accordingly.

(3) Notwithstanding anything in this Act, the provisions of any enactment or rule of law applicable immediately before the relevant date to any act, judgment or order of the City Court shall continue to apply thereto on and after the relevant date, but anything required on or after the relevant date to be done by or to the City Court or any officer

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

thereof, under or by virtue of any such enactment or rule of law, shall be treated as validly done if done by or to the county court.

Marginal Citations

M46 1964 c. iv.

M47 1938 c. 63.

Outstanding fees

8 All fees and similar payments which, having become due in the City Court, had not been paid before the relevant date shall become due on and after the relevant date to the Common Council of the City of London and shall be recoverable as if they were due to the Common Council under an order of the High Court.

Funds in court

9 (1) On the relevant date all investments and money which immediately before that date constituted the funds in court in the City Court shall, by virtue of this Act and without any transfer or assignment, be vested, subject to sub-paragraph (2) below, in the registrar of the county court as funds in that court.

(2) So much of the investments and money referred to in sub-paragraph (1) above as, immediately before the relevant date, was held in the joint names of the Chamberlain of the City of London and the registrar of the City Court shall, instead of being vested solely in the registrar of the county court in accordance with that sub-paragraph, be vested, by virtue of this Act and without any transfer or assignment, jointly in the registrar of the county court and the Accountant-General of the Supreme Court.

PART III

OTHER LOCAL COURTS

Interpretation

10 In this Part of this Schedule—

"the local courts" means the courts abolished by section 43(1) of this Act and "local court" means any one of those courts;

"the relevant date" in relation to a local court means the date on which it is abolished; and

"the county court", in relation to a local court, means the county court for the district in which the local court is situated.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Pending proceedings

11 (1) Subject to any provision made (whether before or after the relevant date) by county court rules:—

(a) any proceedings which had been begun in a local court before the relevant date may be continued on and after that date in the county court, whether or not the proceedings could have been begun in that or any other county court; and

(b) anything done in accordance with the rules applicable to proceedings in the local court shall be treated as having been done in accordance with the rules applicable to corresponding proceedings in the county court.

(2) Any act, judgment or order of a local court in any proceedings shall have the like effect, and further proceedings may be taken in respect of it, as if it were an act, judgment or order of the county court.

(3) Where, by virtue of sub-paragraph (1) above, any proceedings are continued in a county court which could not have been begun in that or any other county court, the court shall have jurisdiction to deal with the proceedings in the like manner as the local court would have had if it had not been abolished.

Fees

12 (1) All fees and similar payments which, having become due in a local court, had not been paid before the relevant date shall on and after that date become due to the appropriate local authority, and all sums which immediately before that date stood to the credit of, or were awaiting payment into, any account maintained by a local court for the receipt of fees and similar payments shall on that date vest in the appropriate local authority.

(2) All money due to the appropriate local authority by virtue of sub-paragraph (1) above shall be recoverable as if it were due to the authority under an order of the High Court.

(3) For the purposes of this paragraph "the appropriate local authority" means—

(a) in relation to the Tolzey Court or the Pie Poudre Court of the City and County of Bristol, the council of the county borough of Bristol;

(b) in relation to the Liverpool Court of Passage, the council of the county borough of Liverpool;

(c) in relation to the Norwich Guildhall Court, the council of the county borough of Norwich; and

(d) in relation to the Court of Record for the Hundred of Salford, the council of the county borough of Manchester.

Funds in court

13 On the relevant date all investments and money which immediately before that date constituted the funds in court in a local court shall, by virtue of this Act and without any transfer or assignment, be vested in the registrar of the county court as funds in that court.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Court records

14 All records of the local courts shall on and after the relevant date be deemed to be records of county courts and may be dealt with accordingly under the [M48]Public Records Act 1958.

Marginal Citations
M48 1958 c. 51.

SCHEDULE 6 Section 51.

AMENDMENTS RELATING TO COSTS IN CRIMINAL CASES ETC.

1—5. . . . . [F63]

Textual Amendments
F63 Sch. 6 paras. 1–5 repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

Betting, Gaming and Lotteries Act 1963

6 In paragraph 23 of Schedule 1 to the [M49] (award of costs of local authority out of local funds) in sub-paragraph (1) for the words "local funds" there shall be substituted the words "central funds".

Modifications etc. (not altering text)
C13 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations
M49 1963 c. 2.

Licensing Act 1964.

7 In section 25 of the [M50]Licensing Act 1964 (award of costs of licensing justices out of local funds), in subsection (1), for the words "local funds" there shall be substituted the words "central funds".

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C14 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M50 1964 c. 26.

Criminal Justice Act 1967

8 . . . . . F64

Textual Amendments

F64 Sch. 6 para. 8 repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

9 (1) In section 32 of the M51Criminal Justice Act 1967, in subsection (2), for the words from the beginning to "said Act of 1966" there shall be substituted the words "Section 5 of the Costs in Criminal Cases Act 1952 (costs awarded by magistrates' courts out of central funds), section 26 of the Criminal Appeal Act 1968 (payment of expenses of witnesses in connection with criminal appeals out of central funds), section 33 of the M52Courts-Martial (Appeals) Act 1968" and after the words "Courts-Martial Appeal Court)" there shall be inserted the words "and section 47 of the Courts Act 1971 (costs awarded by Crown Court out of central funds)".

(2) F65

Textual Amendments

F65 Sch. 6 para. 9(2) repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

Modifications etc. (not altering text)

C15 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M51 1967 c. 80

M52 1968 c. 20.

10 . . . . . F66

Textual Amendments

F66 Sch. 6 para. 10 repealed by Legal Aid Act 1974 (c. 4), **Sch. 5 Pt. I**

11 . . . . . F67

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Textual Amendments

F67 Sch. 6 para. 11 repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

Gaming Act 1968

12 In paragraph 30 of Schedule 2 to the [M53]Gaming Act 1968 (awards of costs of licensing authority out of local funds), in sub-paragraph (2), for the words "local funds" there shall be substituted the words "central funds".

Modifications etc. (not altering text)

C16 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M53 1968 c. 65.

13 In paragraph 14 of Schedule 9 to the Gaming Act 1968 (award of costs of local authority or licensing justices out of local funds), in sub-paragraph (2), for the words "local funds" there shall be substituted the words "central funds".

Modifications etc. (not altering text)

C17 The text of Schedule 6 paras. 6, 7, 9(1), 12 and 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 7

Section 53.

ADMINISTRATIVE FUNCTIONS OF JUSTICES

PART I

AMENDMENTS OF JUSTICES OF THE PEACE ACT 1949

[[F68]1 In section 16 of the Justices of the Peace Act 1949, paragraph (*b*) of the proviso to subsection (2), subsection (5) from the words "so however" onwards and subsection (6)(*a*) shall be omitted.**]**

Textual Amendments

F68 Sch. 7 paras. 1–3 repealed (E.W.) by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C18 The text of Schedule 7 paras. 1–5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

2 (1) In Schedule 4 to that Act, in paragraph 1, in sub-paragraph (1) after the word "composed"there shall be inserted the words "subject to sub-paragraph (2) below", and at the end of sub-paragraph (1)there shall be inserted the following sub-paragraph:—

"(2) The magistrates' courts committee for any area may, with his consent, co-opt a judge of the High Court, Circuit judge or Recorder to serve as a member of the committee".

(2) Paragraphs 1(3) and 4 of that Schedule shall be omitted.

Modifications etc. (not altering text)

C19 The text of Schedule 7 paras. 1–5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

3 For paragraph 5 of Schedule 4 to that Act there shall be substituted the following paragraph:—

(5) Where the magistrates for a county are required to meet for the purpose of carrying out any functions under the preceding paragraphs, a meeting shall be convened by the magistrates' courts committee or, if there is no such committee in being or the Secretary of State considers it appropriate, by the Secretary of State.

Modifications etc. (not altering text)

C20 The text of Schedule 7 paras. 1–5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART II

AMENDMENTS OF THE PRISON ACT 1952

4 (1) In section 6 of the [M54]Prison Act 1952, subsection (1) shall be omitted.

(2) In subsection (2) of that section the words "other than a prison mentioned in subsection (1) of this section" shall be omitted.

(3) In subsection (3) of that section the words "visiting committee and" and the words "visiting committee or" shall be omitted.

(4) Subsection (4) of that section shall be omitted.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C21 The text of Schedule 7 paras. 1–5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M54 1952 c. 52.

5 In section 43(4) of that Act, in paragraph (a) the words "subsection (1) of section six" shall be omitted and for paragraph (c) there shall be substituted the following paragraph:—

"(c) rules made under section 47 of this Act may require the board of visitors appointed by any Borstal institution to consider periodically the character, conduct and prospects of each of the persons detained therein and to report to the Secretary of State on the advisability of his release under supervision."

Modifications etc. (not altering text)

C22 The text of Schedule 7 paras. 1–5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART III

6 . . . . . **F69**

Textual Amendments

F69 Sch. 7 para. 6 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

7, 8. . . . . **F70**

Textual Amendments

F70 Sch. 7 paras. 7, 8 repealed by Licensing (Alcohol Education and Research) Act 1981 (c. 28, SIF 68A:1), s. 11, **Sch. 2 Pt. I**

9 . . . . . **F71**

Textual Amendments

F71 Sch. 7 para. 9 repealed by Greater London Council (General Powers) Act 1984 (c. xxvii), s. 42, **Sch. 4 Pt. I**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

SCHEDULE 8

Section 56.

AMENDMENTS OF OTHER ACTS

PART I

GENERAL

Administrative functions of quarter sessions and clerks of the peace

1 (1) Any function of courts of quarter sessions, or of committees of quarter sessions, which relates—

(a) to the deposit of plans or documents, other than those relating to judicial business, or

(b) to the keeping of records other than those relating to judicial business, or

(c) to any other matter which is not of a judicial nature,

shall be transferred to the local authorities for the areas to which those matters relate.

(2) Any function of clerks of the peace, or deputy clerks of the peace, relating to any of the matters mentioned in sub-paragraph (1) above shall be transferred to the clerks of the local authorities for the areas to which those matters relate.

(3) The preceding provisions of this paragraph are without prejudice to—

(a) sections 3 and 31 of the [M55]Local Government Act 1888 (which transferred certain quarter sessions functions to councils of counties or county boroughs), and

(b) section 101 of the [M56]Local Government Act 1933 (which transferred certain functions of clerks of the peace to clerks of county councils).

(4) References in this paragraph to local authorities—

(a) do not include the Greater London Council,

(b) include county councils, but not any authority for a part of a county:

Provided that as respects matters in the Isles of Scilly the Council of the Isles of Scilly shall be the local authority.

(5) So far as any matter referred to in this paragraph relates to the Inner Temple or the Middle Temple, references in this paragraph to local authorities, or to clerks of local authorities, are references to the Sub-Treasurer of the Inner Temple or, as the case may be, the Under-Treasurer of the Middle Temple.

Modifications etc. (not altering text)

C23 Certain functions exercisable by virtue of para. 1 of Sch. 8 transferred by Local Government Act 1985 (c. 51, SIF 81:1), s. 16, **Sch. 8 para. 25**

Marginal Citations

M55 1888 c. 41.

M56 1933 c. 51.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

General rules of construction

2 (1) In any enactment or other instrument for any reference or expression in the first column of the Table below there shall be substituted the relevant reference or expression in the second column of the Table.

(2) Sub-paragraph (1) above applies to Acts or instruments passed or made before the appointed date or later.

(3) The preceding provisions of this paragraph apply subject to the provisions of this Act, and only except where the context otherwise requires, and in particular do not apply in relation to a sentence imposed, or other thing done, by a court before the appointed day.

TABLE

	Reference	***Substituted reference***
1	Court of gaol delivery or of oyer and terminer.	The Crown Court.
2	Court of assize, or assizes, where the context does not relate to civil jurisdiction.	The Crown Court.
3	Court of assize, or assizes, where the context relates either to criminal or civil jurisdiction, or relates exclusively to civil jurisdiction.	The Crown Court or the High Court, or as the case may be the High Court and not the Crown Court.
4	Court of quarter sessions, or committee of a court of quarter sessions, except in relation to functions transferred to some authority other than the Crown Court. This paragraph applies to references to courts of quarter sessions, however expressed, and applies in particular to any reference to "the next court of quarter sessions", or to the quarter sessions for any particular area, or to any sessions which, by section 13(14), of the [M57]Interpretation Act 1889, were included in the expression "court of quarter sessions".	The Crown Court.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

5	Judge or commissioner of assize, or judge acting during assizes.	The Crown Court or the High Court, or both, according as the reference is to criminal jurisdiction, or civil jurisdiction, or to both.
6	Chairman or deputy chairman of quarter sessions.	The Crown Court.
7	Recorder, or deputy, assistant or temporary recorder, of a borough (but not the Recorder of London).	(a) Where the context implies a reference to jurisdiction of the Crown Court, the Crown Court. (b) Where the context implies a reference to any judicial function not related to a court of quarter sessions (or the Crown Court) such Circuit judge or Recorder as the Lord Chancellor may nominate for the purpose. (c) In any other case, such local authority, member of a local authority or officer of a local authority as the Lord Chancellor may nominate.
8	County court judge.	A judge assigned to a county court district, or acting as a judge so assigned.
9	The judge or chairman of the court where the court is the Crown Court and comprises justices of the peace and the reference was applicable before the appointed day to county quarter sessions and meant the chairman or acting chairman of the bench.	The judge presiding in the Crown Court proceedings.
10	Clerk of assize or other officer whose duties related exclusively to the criminal jurisdiction of courts of assize.	The appropriate officer of the Crown Court.
11	Clerk of the peace or deputy clerk of the peace, except in relation to functions transferred to local authorities or officers of local authorities.	The appropriate officer of the Crown Court.
12	Clerk of the court where the court is the Crown Court.	The appropriate officer of the Crown Court.
13	A borough having a separate court of quarter sessions.	A borough which, immediately before the appointed day, had a separate court of quarter sessions.
14	Any period limited by reference to the next sitting, or the beginning or end of the next	30 days or such other period as the Lord Chancellor may direct.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

	sitting, of a court of quarter sessions.	
15	Any right to apply to a court of quarter sessions limited to a specified sitting of the court next after, or in the calendar year of, a 21st or other anniversary of an enclosure award or other event.	A right to apply to the Crown Court within twleve months from the anniversary. The Crown Court may modify or supersede any associated time limit for the giving of notice of the application, or for the confirmation of any decision on the application.
16	Any reference to local funds in the context of a reference to the [M58]Costs in Criminal Cases Act 1952.	Central funds, that is to say money provided by Parliament.

Nothing in the Table above shall be taken as affecting any enactment which, as respects any judicial or other office abolished by this Act, provides for—

(a) the appointment, retirement, or removal of the officer, or

(b) the tenure of office and oaths to be taken by any such officer, or

(c) the remuneration, allowances or pensions of any such officer;

and nothing in the Table above shall apply to any reference to records of any court.

Marginal Citations

M57 1889 c. 63.

M58 1952 c. 48.

Amendments of local Acts

3 (1) The Lord Chancellor may by order in a statutory instrument provide for such amendments or repeals of provisions of any local Act as appears to him required to give effect to the provisions of this Act.

(2) An order under this paragraph may, in particular, provide, if in the opinion of the Lord Chancellor there are special circumstances justifying it, for any jurisdiction of a court of quarter sessions under any local Act to be abolished, or transferred otherwise than to the Crown Court.

(3) An order under this paragraph may contain such transitional and other supplemental and incidental provisions as appear to the Lord Chancellor to be necessary or expedient.

(4) A statutory instrument under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

PART II

MISCELLANEOUS AMENDMENTS

Habeas Corpus 1679

4 (1) In section 2 of the [M59]Habeas Corpus Act 1679 for the words from "in the Court of Kings Bench" to "case shall require" substitute "in the Crown Court".

(2) In section 8 of the said Act for "judge of assize" substitute "judge of the Crown Court".

Modifications etc. (not altering text)

C24 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M59 1679 c. 2.

Vagrancy Act 1824

5 The [M60]Vagrancy Act 1824 shall be amended as follows:—

(a) in section 5, as amended by the [M61]Criminal Justice Act 1967, for "quarter sessions" substitute "the Crown Court",

(b) in section 10 for the words from "quarter sessions" to "assembled" substitute "the Crown Court, it shall be lawful for the Crown Court", and

(c) in section 14 for the words following "appeal to" to the end of the section substitute "the Crown Court".

Modifications etc. (not altering text)

C25 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M60 1824 c. 83.
M61 1967 c. 80.

6 . . . . . [F72]

Textual Amendments

F72 Sch. 8 para. 6 repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. I**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Parliamentary Documents Deposit Act 1837

7 For any reference in the [M62]Parliamentary Documents Deposit Act 1837 to the clerk of the peace there shall be substituted a reference to any officer of a local or other authority.

Modifications etc. (not altering text)

C26 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M62 1837 c. 83.

Slave Trade Act 1843

8 In section 4 of the [M63]Slave Trade Act 1843 (evidence taken abroad) for any reference to the High Court (whether in terms a reference to the Court of Queen's Bench or otherwise) there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C27 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M63 1843 c. 98

Indictable Offences Act 1848

9 In sections 12, 13 and 14 of the [M64]Indictable Offences Act 1848 (backing of warrants) for ant reference to justices of oyer and terminer or gaol delivery, except so far as it is a reference to such a justice in Northern Ireland, there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C28 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M64 1848 c. 42

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Petty Sessions (Ireland) Act 1851

10 In section 30 of the [M65]Petty Sessions (Ireland) Act 1851 for the reference to justices of oyer and terminer and general gaol delivery in England there shall be substituted a reference to the Crown Court.

Modifications etc. (not altering text)

C29 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M65 1851 c. 93

11 . . . . . [F73]

Textual Amendments

F73 Sch. 8 para. 11 repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. I**

Explosives Act 1875

[F74]12 . . . . . .

Textual Amendments

F74 Sch. 8 para 12 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 PtVII**

13 . . . . . [F75]

Textual Amendments

F75 Sch. 8 para. 13 repealed by Prosecution of Offences Act 1979 (c. 31), s. 11(2), **Sch. 2 Pt. II**

Central Criminal Court (Prisons) Act 1881

14 In section 2(5) of the [M66]Central Criminal Court (Prisons) Act 1881 for the words "at the Central Criminal Court" substitute "before the Crown Court sitting at the Central Criminal Court or elsewhere in Greater London".

Modifications etc. (not altering text)

C30 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Marginal Citations

M66 1881 c. 64

Coroners Act 1887

15 (1) In section 5 of the [M67]Coroners Act 1887—

(a) in subsection (2) for the words "at the next" to "is to be" substitute "before the Crown Court".

(b) in subsection (3) for the words following "proper officer" substitute "of the Crown Court".

(2) . . . . . [F76]

Textual Amendments

F76 Sch. 8 para. 15(2)(3) repealed by Local Government Act 1972 (c. 70), **Sch. 30**

Modifications etc. (not altering text)

C31 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M67 1887 c. 71

Witnesses (Public Inquiries) Protection Act 1892

16 In section 3 of the [M68]Witnesses (Public Inquiries) Protection Act 1892 for the words from "quarter sessions" to the end substitute " Crown Court".

Modifications etc. (not altering text)

C32 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M68 1892 c. 64

[M69]Indictments Act 1915

Marginal Citations

M69 1915 c. 90.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

17 (1) In section 2 of the [M70]Indictments Act 1915 references to the rule committee shall be construed as references to the Crown Court rule committee, but this amendment shall not invalidate any rules previously made.

(2) A statutory instrument containing rules under section 2 of the said Act of 1915 shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Marginal Citations
M70 1915 c. 90.

18 . . . . . [F77]

Textual Amendments
F77 Sch. 8 para. 18 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Criminal Justice Act 1925

19 In section 33(3) of the [M71]Criminal Justice Act 1925 (arraignment of corporation) for the words from the beginning to "case may be" substitute "On arraignment of a corporation, the corporation may".

Modifications etc. (not altering text)
C33 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations
M71 1925 c. 86.

[M72]Coroners (Amendment) Act 1926

Marginal Citations
M72 1926 c. 59.

20 (1) The provisions of this Act about committal for trial by a magistrates' court, and the provisions of section 7(2) and section 13 of this Act, shall, subject to the provisions of this paragraph, apply with any necessary modifications to the proceedings mentioned in section 25(2) of the [M73]Coroners (Amendment) Act 1926.

(2) Rules under the said section 25(2) may apply—

(a) the provisions of this Act mentioned in sub-paragraph (1) above, and any other enactment relating to committal by magistrates' courts for trial in the Crown Court, and

(b) the provisions of the [M74]Criminal Procedure (Attendance of Witnesses) Act 1965 relating to witness orders.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

with such modifications as may be necessary for giving effect to provisions of the said section 25.

(3) Sub-paragraph (1) above shall have effect subject to any rules so made.

Marginal Citations

M73 1926 c. 59.

M74 1965 c. 69.

Petroleum (Consolidation) Act 1928

[F78]21 . . . . . .

Textual Amendments

F78 Sch. 8 para 21 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.VII**

22 . . . . . [F79]

Textual Amendments

F79 Sch. 8 para. 22 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, **Sch. 16**

23 . . . . . [F80]

Textual Amendments

F80 Sch. 8 para. 23 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

Criminal Justice Act 1948

24 In the [M75]Criminal Justice Act 1948—

(a) . . . . . [F81]

(b) in all places where there occurs a reference to a court of quarter sessions (sections . . . [F82] 20(5)(a), 37(3)(6)) there shall be substituted a reference to the Crown Court.

Textual Amendments

F81 Sch. 8 para. 24(*a*) repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

F82 Section number repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

Modifications etc. (not altering text)

C34 The text of Schedule 8 paras. 24(*b*), 35, 40, 48(*a*) and 57 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Marginal Citations
M75 1948 c. 58.

25—27. . . . . F83

Textual Amendments
F83 Sch. 8 para. 25–27 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

28 (1) In section 37 of that Act, for paragraph (b) of subsection (1) there shall be substituted the following paragraph—

"(b) the High Court may release on bail a person—

(i) who, after the decision of his case by the Crown Court, has applied to the Crown Court for the statement of a case for the High Court on that decision, or

(ii) who has applied to the High Court for an order of certorari to remove proceedings in the Crown Court on his case into the High Court, or has applied to the High Court for leave to make such an application."

(2) At the end of subsev=ction (3) of that section there shall be added the words "or by a police officer not below the rank of inspector or the governor of a prison or the keeper of a place of detention".

Modifications etc. (not altering text)
C35 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

29 . . . . . F84

Textual Amendments
F84 Sch. 8 para. 29 repealed by Legal Aid Act 1974 (c. 4), **Sch. 5 Pt. I**

30 . . . . . F85

Textual Amendments
F85 Sch. 8 para. 30 repealed by Representation of the People Act 1983 (c. 2, SIF 42), s. 206(b)(ii), **Sch. 9 Pt. II**

31 . . . . . F86

Textual Amendments
F86 Sch. 8 para. 31 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), s. 73(1), **Sch. 17 Pt. II**

32 . . . . . F87

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Textual Amendments

F87 Sch. 8 para. 32 repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(2), **Sch. 4**

Prison Act 1952

33 In section 47(5) of the [M76]Prison Act 1952 as amended by the [M77]Criminal Justice Act 1961 for the words "at assizes or quarter sessions" substitute "before the Crown Court" and for "quarter sessions" substitute "the Crown Court".

Modifications etc. (not altering text)

C36 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M76 1952 c. 52.
M77 1961 c. 39

34 . . . . . [F88]

Textual Amendments

F88 Sch. 8 para. 34 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), **Sch. 9**

County Courts Act 1959

[F89]35 . . . . . .

Textual Amendments

F89 Sch. 8 para. 35 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group1

36 . . . . . [F90]

Textual Amendments

F90 Sch. 8 para. 36 repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), **Sch. 25**

Obscene Publications Act 1959

37 In section 3(50 of the [M78]Obscene Publications Act 1959 (time of coming into force of forfeiture order) for the words from "fourteen days" to "order is made" substitute "the period within which notice of appeal to the Crown Court may be given against the order".

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C37 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M78 1959 c. 66

38 . . . . . [F91]

Textual Amendments

F91 Sch. 8 para. 38 repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148(3), **Sch. 6**

Caravan Sites and Control of Development Act 1960

39 In section 9(2) of the [M79]Caravan Sites and Control of Development Act 1960 (time of coming into force of order revoking a licence) for the words from "on such date" to the words "case stated or otherwise" substitute "on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction".

Modifications etc. (not altering text)

C38 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M79 1969 c. 62.

Administration of Justice Act 1960

40 (1) In section 13(2) of the [M80]Administration of Justice Act 1960 (appeal in cases of contempt of court) after paragraph (b) insert—

"(bb) from an order or decision of the Crown Court to the Court of Appeal."

(2) In section 13(5)(a) of the said Act after "High Court" insert "the Crown Court".

(3) . . . . . [F92]

Textual Amendments

F92 Sch. 8 para. 40(3) repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C39 The text of Schedule 8 paras. 24(*b*), 35, 40, 48(*a*) and 57 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M80 1960 c. 65.

Criminal Justice Act 1961

[F93]41 . . . . . .

Textual Amendments

F93 Sch. 8 para. 41 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group1

This Amendment shall cease to have effect when the relevant repeal by the Children and Young Persons Act 1969 takes effect.

[M82]*Licensing Act 1964*

Marginal Citations

M82 1964 c. 26.

42 (1) In section 28(3)(b) of the Licensing Act 1964 after the words "justices of the peace" insert "or the Crown Court".

(2) So far as section 193(1) of the said Act (disqualification of justices) relates to justices sitting in, or otherwise discharging the business of, the Crown Court, for the reference in that subsection to their acting in any area having a separate commission of the peace substitute a reference to their dealing (in the Crown Court) with proceedings which are related to that area in any way.

(3) For the purposes of the said Act that part of the county borough of Stockport which, at the passing of the [M83]Criminal Justice Administration Act 1956, formed part of Cheshire shall instead belong to Lancashire, and to the hundred of Salford in the same way as the remainder of the borough.

Modifications etc. (not altering text)

C40 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M83 1956 c. 34.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

[M84] *Administration of Justice Act 1964*

Marginal Citations
M84 1964 c. 42.

43 (1) . . . . . [F94]

(2) . . . . . [F95]

(3) . . . . . [F94]

(4) . . . . . [F96]

Textual Amendments
F94 Sch. 8 para. 43(1)(3) repealed (E.W.) by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**
F95 Sch. 8 para. 43(2) repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**
F96 Sch. 8 para. 43(4) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

44 . . . . . [F97]

Textual Amendments
F97 Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

[M85] *Criminal Procedure (Attendance of Witnesses) Act 1965*

Marginal Citations
M85 1965 c. 69.

45 (1) In section 1(1) of the Criminal Procedure (Attendance of Witnesses) Act 1965 for the owrds from "the court of assize" to the end of the subsection substitute the words "the Crown Court".

(2) In section 2 of the said Act—

(a) in subsection (1) for the words "a court of assize or quarter sessions" and the words "that court" substitute "the Crown Court".

(b) in subsection (2) for the words "the court out of which the summons was issued" substitute "the Crown Court".

(3) For the purposes of section 13 of this Act a warrant issued under section 4 of the said Act (warrant of arrest to secure attendance of witness) shall be treated as a warrant issued by the Crown Court.

(4) In section 4(2) of the said Act for the words "a court of assize or quarter sessions" substitute "the Crown Court".

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

(5) In Schedule 1 to the said Act, in paragraph 1 and paragraph 2 before the words "rules of court" insert "Crown Court rules or".

Modifications etc. (not altering text)

C41 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

46 . . . . . [F98]

Textual Amendments

F98 Sch. 8 paras. 44, 46 repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

47 . . . . . [F99]

Textual Amendments

F99 Sch. 8 para. 47 repealed by Matrimonial Causes Act 1973 (c. 18), **Sch. 3**

Criminal Justice Act 1967

48 In the [M86]Criminal Justice Act 1967—

(a) in all places where there occurs a reference to a court of assize or quarter sessions (sections . . . [F100] 56(1)(3)(5)(8)(11), 62(10) . . . [F100] and in Schedule 6 paragraphs 2, 14, 16, 21(c)) there shall be substituted a reference to the Crown Court.

(b) in all places where there occurs a reference to a court of quarter sessions (sections 20, 22(3), 56 . . . [F101] (6), 62(6)(7), . . . [F102] and in Schedule 6 paragraph 1) there shall be substituted a reference to the Crown Court.

Textual Amendments

F100 Section numbers repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6** and Legal Aid Act 1974 (c. 4), **Sch. 5 Pt. I**

F101 Sub-section number repealed by Magistrates' Courts Act 1980 (c. 43), **Sch.9**

F102 Section numbers repealed by Legal Aid Act 1974 (c. 4) Sch. 5 Pt. I

Modifications etc. (not altering text)

C42 The text of Schedule 8 paras. 24(*b*), 35, 40, 48(*a*) and 57 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M86 1967 c. 80.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

49 In section 9(5) of that Act, for paragraphs (a) and (b) there shall be substituted the words "by a puisne judge of the High Court, a Circuit judge or Recorder sitting alone".

Modifications etc. (not altering text)

C43 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

50 . . . . . **F103**

Textual Amendments

F103 Sch. 8 para. 11 repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. I**

51 . . . . . **F104**

Textual Amendments

F104 Sch. 8 para. 51 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

52 . . . . . **F105**

Textual Amendments

F105 Sch. 8 para. 52 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), **Sch. 9**

53, 54. . . . . **F106**

Textual Amendments

F106 Sch. 8 paras. 53, 54 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

55 (1) In subsection (8) of section 56 of that Act, for the words "the court to which he is committed" there shall be substituted the words "the Crown Court".

(2) In subsection (9) of that section for the words "the clerk of the court to which he is committed" there shall be substituted the words "the proper officer of the Crown Court".

(3) In subsection (10) of that section for the words "the court to which he is committed" there shall be substituted the words "the Crown Court".

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C44 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

56 . . . . . F107

Textual Amendments

F107 Sch. 8 para. 56 repealed by Legal Aid Act 1974 (c. 4), **Sch. 5 Pt. I**

Criminal Appeal Act 1968

57 (1) In the M87Criminal Appeal Act 1968—

(a) for the words "a court of assize or quarter sessions" wherever they occur (sections 10(1), F108. . .11(2)) substitute the words "the Crown Court".

(b) for the words "at assizes or quarter sessions" wherever they occur (sections 10(2), (3), 24(2)(b), 39(3)) substitute the words "before the Crown Court".

(2) F109

(3) In section 51(1) of the said Act for the definition of the judge of the court of trial substitute— "the judge of court of trial" means, where the Crown Court comprises justices of the peace, the judge presiding. "

Textual Amendments

F108 In Sch. 8 para. 57(1)(a) the reference to subsection (2) of section 10 is repealed (E.W.) (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 101(2), **Sch. 13**; S.I. 1992/333, art. 2(2), **Sch. 2**.

F109 Sch. 8 para. 57(2) repealed (E.W.) by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Modifications etc. (not altering text)

C45 The text of Schedule 8 paras. 24(*b*), 35, 40, 48(*a*) and 57 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M87 1968 c. 19

Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968

58 In section 1(4) of the M88Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 after the words "the High Court" add the words "the Crown Court".

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C46 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M88 1968 c. 63.

Children and Young Persons Act 1969

59 F110(1) . . . . . .

(2) In the subsection (3B) in paragraph 1(3) and in paragraph 4(3) of Schedule 1 to the said Act for the words "a court of quarter sessions" substitute "the Crown Court".

Textual Amendments

F110 Sch. 8 para. 59(1) repealed (*14. 10. 1991*) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15**, (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**.

Modifications etc. (not altering text)

C47 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Administration of Justice Act 1970

60 (1) In section 4(2) of the M89 Administration of Justice Act 1970 for the words "at assizes" substitute "the Crown Court".

(2) In section 43(1)(b) of the said Act for the words "assizes or quarter sessions" substitute " the Crown Court".

(3) In paragraphs 1 to 15 of Schedule 9 to the said Act for the words "quarter sessions" and the words "a court of assize or quarter sessions" wherever they occur substitute "the Crown Court".

(4) For paragraphs 16 to 20 of the said Schedule 9 substitute the following paragraph—

"16 Any order for the payment of costs made by the Crown Court, other than an order falling within Part I above, or an order for costs to be paid out of money provided by Parliament."

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Modifications etc. (not altering text)

C48 The text of Schedule 8 paras. 4, 5, 7–10, 12, 14, 15(1), 16, 19, 21, 28, 33, 37, 39, 41, 42(1), 45(1)(2)(4)(5), 49, 55, 58–60 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M89 1970 c. 31.

SCHEDULE 9

Section 56.

QUARTER SESSIONS JURISDICTION: SUBSTITUTION OF REFERENCES TO CROWN COURT

PART I

APPELLATE JURISDICTION

Act	*Section or Schedule*
M90 Inclosure and Drainage (Rates) Act 1833	Section 3.
M91 Ordnance Survey Act 1841	Section 2.
M92 Companies Clauses Consolidation Act 1845	Section 159.
M93 Lands Clauses Consolidation Act 1845	Section 146.
M94 Inclosure Act 1845	Section 63.
M95 Towns Improvement Clauses Act 1847	Sections 185 to 190.
M96 Ecclesiastical Courts Jurisdiction Act 1860	Section 4.
M97 Trade Union Act 1871	Section 20.
M98 Railway Rolling Stock Protection Act 1872	Section 6.
. . .	. . . **F111**
F112 . . .	**F112** . . .
F113	**F113**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

. . .	. . .
F114	**F114**
. . .	. . .
F113	**F113**
. . .	. . .
M99	Section 42.
Brine Pumping (Compensation for Subsidence) Act 1891	
. . .	. . . **F115**
M100	Section 5.
Canals Protection (London) Act 1898	
M101	Section 7.
Public Health Acts Amendment Act 1907	
. . .	. . . **F116**
M102	Section 1(7).
Marine Insurance (Gambling Policies) Act 1909	
M103	Section 14(1).
Protection of Animals Act 1911	
M104	Section 2(2).
Performing Animals (Regulation) Act 1925	
. . .	. . . **F117**
. . .	. . . **F118**
M105	Section 55(5).
Children and Young Persons Act 1933	
	Section 102.
. . .	. . . **F119**
M106	Section 301.
Public Health Act 1936	
M107	Section 1(1).
Dogs Amendment Act 1938	
M108	Schedule III, 90.
Water Act 1945	
. . .	. . . **F120**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

. . .	. . . F121
M109 Prevention of Damage by Pests Act 1949	Section 15(4).
M110 Coast Protection Act 1949	Section 13(7).
National Parks and Access to the M111 Countryside Act 1949	Section 68(6).
M112 Shops Act 1950	Section 53(11).
. . .	. . . F122
. . .	. . . F123
	Schedule VII, 11.
. . .	. . . F124
. . .	. . . F125
. . .	. . . F126
. . .	. . . F127
M113 Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.	
M114 Agriculture (Safety, Health and Welfare Provisions) Act 1956.	Section 3(8).
. . .	. . . F128
M115 Affiliation Proceedings Act 1957	Section 8(1).
. . .	. . . F129
M116 Milford Haven Conservancy Act 1958	Section 9(4).
M117 Trading Representations (Disabled Persons) Act 1958.	Section 3(5).

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

. . .	. . . F130
M118 Adoption Act 1958	Sections 31(4), 48.
. . .	. . . F131
M119 Obscene Publications Act 1959	Section 3(5).
. . .	. . . F132
M120 Factories Act 1961	Section 165.
. . .	. . . F133
M121 Betting, Gaming and Lotteries Act 1963	Schedule I, 21 to 23, 28, 35. Schedule II, 6. Schedule III, 13(2), (4).
	. . . F134
M122 London Government Act 1963	Schedule XII, 19(2).
M123 Offices, Shops and Railway Premises Act 1963	Section 72.
M124 Licensing Act 1964	Sections 20(5), 21 to 25, 27(3)(4), 50, 146, 154.
M125 Compulsory Purchase Act 1965	Section 12(3).
[F135	Sections 7(1), 99(5), 116(1).]
M126 General Rate Act 1967	
M127 Private Places of Entertainment (Licensing) Act 1967	Section 5(3)(4).
M128 Firearms Act 1968	Section 44. Part II of Schedule V.
M129	Section 14(2).

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

Theatres Act 1968	
M130	Schedule II, 29 to 32, 45, 46, 50, 61.
Gaming Act 1968	
	Schedule III, 12, 13, 15, 16.
	Schedule VII, 11, 12, 20.
	Schedule IX, 11 to 14.
	Schedule XI, 8 to 11.
. . .	. . .
	F133
M131	Section 7(3)(b).
Late Night Refreshment Houses Act 1969	
M132	F136
Children and Young Persons Act 1969	Section 16(8).

Textual Amendments

F111 Entry repealed by Consumer Credit Act 1974 (c. 39), s. 192(4), **Sch. 5** and S.I. 1983/1551, art. 5, **Sch. 2**

F112 Sch. 9 Pt I: the entry relating to the Explosives Act 1875 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.VII**

F113 Sch. 9 Pt. I: the entries relating to the Public Health Act 1875 and the Public Health Acts Amendment Act 1890 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X** Group1

F114 Sch. 9 Pt. I: the entry relating to the Highways and Locomotives (Amendment) Act 1878 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt XV** Group1

F115 Entry repealed by Friendly Societies Act 1974 (c. 46), **Sch. 11**

F116 Entry repealed by Weights and Measures Act 1979 (c. 45, SIF 131), s. 23(2), **Sch. 7**

F117 Entry repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47(4), **Sch. 7 Pt. IV**

F118 Entries repealed by Consumer Credit Act 1974 (c. 39), **Sch. 5** and Land Drainage Act 1976 (c. 70), **Sch. 8**

F119 Entry repealed by Poisons Act 1972 (c. 66), **Sch. 2**

F120 Entry repealed by Superannuation Act 1972 (c. 11), **Sch. 8**

F121 Entry repealed by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99(3), 101(1), Sch. 13, **Sch. 15 Pt. I**

F122 Entry repealed by Animal Health Act 1981 (c. 22, SIF 4:4), s. 96(2), **Sch. 6**

F123 Entry repealed by Customs and Excise Management Act 1979 (c. 2, SIF 40:1), s. 177(3), **Sch. 6**

F124 Entry repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

F125 Entry repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), **Sch. 9**

F126 Entry repealed by Cinematograph (Amendment) Act 1982 (c. 33, SIF 45A), s. 10(2), **Sch. 2**

F127 Entry repealed by Food Act 1984 (c. 30, SIF 53:1), s. 134, **Sch. 11**

F128 Entry repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), **Sch. 8**

F129 Entry repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3(1), 5(2), Sch. 1 Pt. I, **Sch. 4**

F130 Entry repealed by Foster Children Act 1980 (c. 6, SIF 20), s. 23(3), **Sch. 3**

F131 Entry repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), **Sch. 25**

F132 Entry repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148(3), **Sch. 6**

F133 Entry repealed by Town and Country Planning Act 1971 (c. 78), **Sch. 25**

F134 Words repealed by Lotteries and Amusements Act 1976 (c. 32), **Sch. 5**

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

F135 Entry repealed (E.W.) (for financial year beginning in or after 1990) by Local Government Finance Act 1988 (c. 41, SIF 81:1), ss. 142, 149, **Sch. 13 Pt. I** (subject to any saving under s. 117(8) of the said Local Government Finance Act 1988)

F136 "Section 16(8)" in Sch. 19 Pt. I substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5)(6), **Sch. 13 para. 28** (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**.

Marginal Citations

M90 1833 c. 35.
M91 1841 c. 30.
M92 1845 c. 16.
M93 1845 c. 18.
M94 1845 c. 118.
M95 1847 c. 34.
M96 1860 c. 32.
M97 1871 c. 31.
M98 1872 c. 50.
M99 1891 c. 40.
M100 1898 c. 16.
M101 1907 c. 53.
M102 1909 c. 12.
M103 1911 c. 27.
M104 1925 c. 38.
M105 1933 c. 12.
M106 1936 c. 49.
M107 1938 c. 21.
M108 1945 c. 42.
M109 1949 c. 55.
M110 1949 c. 74.
M111 1949 c. 97.
M112 1950 c. 28.
M113 1956 c. 44.
M114 1956 c. 49.
M115 1957 c. 55.
M116 1958 c. 23.
M117 1958 c. 49.
M118 1958 c. 5.
M119 1959 c. 66.
M120 1961 c. 34.
M121 1963 c. 2.
M122 1963 c. 33.
M123 1963 c. 41.
M124 1964 c. 26.
M125 1965 c. 56.
M126 1967 c. 9.
M127 1967 c. 19.
M128 1968 c. 27.
M129 1968 c. 54.
M130 1968 c. 65.
M131 1969 c. 53.
M132 1969 c. 54.

Status: *Point in time view as at 03/01/1995.*
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PART II

ORIGINAL JURISDICTION

Act	*Section or Schedule*
. . .	. . . F137
. . .	. . . F138
. . .	. . . F139
M133 Firearms Act 1968	Section 21(6)(7). Schedule 3 Part I.

Textual Amendments

F137 Words repealed by Reservoirs Act 1975 (c. 23), **ss. 28(1)**, 29(1)

F138 Entry repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), s. 73(1), **Sch. 17 Pt. II**

F139 Entry repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), **Sch. 25**

Marginal Citations

M133 1968 c. 27.

SCHEDULE 10.

Section 56.

TRANSITIONAL PROVISIONS

PART I

CRIMINAL ASSIZE COURTS AND COURTS OF QUARTER SESSIONS

1 (1) Subject to the provisions of this Act, for the purpose of enabling proceedings instituted before the appointed day to be continued thereafter, and for preserving in other respects the continuity of the administration of justice, the Crown Court shall be treated as succeeding to, and being the same court as, all criminal assize courts and, except as respects functions not transferred to the Crown Court, all courts of quarter sessions.

(2) Any order, writ, summons, warrant, recognizance, notice, grant of legal aid or other proceeding or document shall have effect in accordance with sub-paragraph (1) above, and shall be construed, unless the context otherwise requires, in accordance with the Table in Part I of Schedule 8 to this Act.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

(3) In any proceedings in which a magistrates' court has committed a person for trial at, or otherwise given direction as respects the hearing of proceedings by, a specified court of assize or court of quarter sessions, the place and time of trial of the proceedings in the Crown Court shall be determined in accordance with directions given by or on behalf of the Lord Chief Justice with the concurrence of the Lord Chancellor.

Part-heard proceedings

2 (1) Any proceeding the hearing of which has begun but is not completed before the appointed day before a criminal court of assize or before a court of quarter sessions shall, subject to the provisions of this paragraph, be continued and disposed of as if this Act had not been passed.

(2) Sub-paragraph (1) above shall not affect the provisions of Schedule 3 to this Act as to the provision of court accomodation.

(3) A local or other authority shall be entitled to be reimbursed by the Lord Chancellor in respect of any expenditure incurred by the authority in consequence of sub-paragraph (1) above which, but for the provisions of that sub-paragraph, would have been payable by the Lord Chancellor or some other Minister.

Costs in criminal cases

3 Nothing in this Act shall affect any order made before the appointed day for the payment of costs our of local funds within the meaning of the [M134]Costs in Criminal Cases Act 1952, and except so far as the Lord Chancellor otherwise directs, any such costs shall be taxable and recoverable as if this Act had not been passed.

Marginal Citations
M134 1952 c. 48.

Records of courts of quarter sessions

4 Before the appointed day the clerk of the peace of each court of quarter sessions shall make arrangements, in accordance with directions given by or on behalf of the Lord Chancellor, for the disposal in accordance with those directions of all records in his custody or control which relate to the judicial business of the court of quarter sessions.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

PART II

COURTS: MISCELLANEOUS

Civil courts of assize

5 (1) Subject to any provision made by rules of court, and to sub-paragraph (2) below—

(a) any civil proceedings which had been begun in a court of assize before the appointed day may be continued on and after the appointed day in the High Court as if they had been begun in the High Court and not assigned to a court of assize, and

(b) any act, judgment or order in civil proceedings in a court of assize shall be treated as having been done in accordance with the rules applicable to proceedings in the High Court, other than in a court of assize.

(2) Any civil proceedings in a court of assize the hearing of which has begun but is not completed before the appointed day shall be continued and disposed of as if this Act had not passed.

Directions by Lord Chief Justice

6 (1) The Lord Chief Justice may if it appears to him expedient give directions as to the conduct of any proceedings instituted in any court abolished by this Act if in his opinion the direction is required to meet any difficulty arising from the transfer by this Act of the jurisdiction of any of those courts.

(2) The preceeding provisions of this Schedule, and the provisions of Schedule 5 to this Act, shall have effect subject to any direction under this paragraph.

(3) A direction under this paragraph may relate either to a specified proceeding, or to proceedings of a specified class or description.

PART III

COUNTY COURT JUDGES

7 Each person who, immediately before the appointed day, held office as judge for a county court district shall be treated, on and after that day, as having been assigned to that district (in his capacity as a Circuit judge) under section 20(1) of this Act.

8 Notwithstanding anything in section 20(4) of this Act, the termination by virtue of that section of a person's appointment as temporary or deputy judge of a county court shall not prevent him from continuing to deal with any case which had been begun before him before the appointed day; and for the purposes of that case and of any proceedings subsequent thereon he shall continue, on and after the appointed day, to be treated as a temporary or deputy judge of the county court concerned as if

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section 20(4) of this Act and the repeal of the provisions of the [M135]County Courts Act 1959 relating to temporary and deputy judges of county courts had not been enacted.

Marginal Citations
M135 1959 c. 22.

PART IV

JUDGES, OFFICERS AND STAFF

Continuation of appointments

9 (1) The repeals made by this Act shall not affect the appointment of any judge, officer or other person made before the repeal takes effect, but without prejudice to any provision of this Act abolishing any office or employment.

(2) The repeals made by this Act shall not affect any pension or other right in respect of service before the repeal takes effect.

Jury service

10 The abolition by this Act of the offices of clerk of assize, clerk of the peace and other offices shall not affect the operation of section 16 of the [M136]Criminal Justice Act 1967 (under which certain persons are exempt from jury service for ten years after ceasing to hold office).

Marginal Citations
M136 1967 c. 80.

11, 12. . . . . [F140]

Textual Amendments
F140 Sch. 10 paras. 11, 12 repealed by Judicial Pensions Act 1981 (c. 20, SIF 71:2), s. 36(2), **Sch. 4**

13, 14. . . . . [F141]

Textual Amendments
F141 Sch. 10 paras. 13, 14 repealed by Superannuation Act 1972 (c. 11), **Sch. 8**

15 (1) In relation to any person who, before the day appointed for the coming into force of section 44(1)(a) of this Act held office as a clerk of the peace or a deputy clerk of the peace, the repeal by this Act of—

(a) section 9(2) of the [M137]Local Government (Clerks) Act 1931,

(b) any provision of the [M138]Local Government Superannuation Act 1937,

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(C) any provision of the [M139]Local Government Superannuation Act 1953, and

(d) sections 8 and 29 of the [M140]Administration of Justice Act 1964.

shall not affect the continued operation of those provisions or of any regulations made under them so far as they relate to rights accrued, contributions made and other things done before that day.

(2) Without prejudice to sub-paragraph (1) above, for the purposes of—

(a) any statutory provision contained in or made or issued under the Local Government Superannuation Acts 1937 to 1953, the [M141]Superannuation (Miscellaneous Provisions) Act 1948 or Part III of the [M142]National Insurance Act 1965, which is in force at the passing of this Act, and

(b) except as may be otherwise expressly provided therein, any enactments passed after the passing of this Act whereby any of those Acts is amended, extended or superseded, and any statutory instrument which after the passing of this Act is made or issued under any of those Acts or such an enactment,

in any case where, at the time after the day appointed for the purposes of section 44(1) of this Act, a court of quarter sessions would, if this Act had not been passed, have been the employing authority in relation to a clerk of the peace, deputy clerk of the peace or other officer of the court who before that day died while serving, or otherwise ceased to serve, in that employment, or in relation to the widow or any other dependant of such a person, the relevant local authority, as defined in sub-paragraph (3) below, shall be treated as being at that time the employing authority in relation to that person or, as the case may be, to that person's widow or other dependant.

(3) In sub-paragraph (2) above "the relevant local authority" means—

(a) in relation to a person, or the widow or other dependant of a person, who was clerk of the peace or deputy clerk of the peace for a London commission area or who was otherwise an officer of the court of quarter sessions for such an area, the Greater London Council; and

(b) in relation to any person, or the widow or other dependant of any person, not falling within paragraph (a) above, the county council which, immediately before the day appointed for the purposes of section 44(1) of this Act, defrayed expenditure of the court of quarter sessions concerned under section 29(9) of the [M143]Administration of Justice Act 1964.

Marginal Citations

M137 1931 c. 45.
M138 1937 c. 68.
M139 1953 c. 25.
M140 1964 c. 42.
M141 1948 c. 33.
M142 1965 c. 51.
M143 1964 c. 42.

16 (1) The Lord Chancellor may, with the concurrence of the Minister for the Civil Service, give a direction with respect to any clerk, bailiff, usher or messenger of a county court appointed by the registrar of that court under the proviso to section 28(1) of the [M144]County Courts Act 1959 (which relates to the case where the registrar's salary includes the remuneration of any such officer) or deemed to have been so appointed

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by virtue of section 205 of that Act; and where a direction is so given then, subject to sub-paragraph (2) below, that person's employment in court service shall be deemed for all purposes to be employment in the civil service of the State . . . [F142]

(2) Except in so far as the Minister for the Civil Service directs in any case, no account shall be taken for the purposes of this paragraph of court service before the **[**[F143]giving of the direction under sub-paragraph (1) above**]**.

(3) For the purpose of this paragraph "court service" means employment as a clerk, bailiff, usher or messenger in the service of a county court, whether or not combined with employment as a clerk in the service of a district registry of the High Court.

Textual Amendments

F142 Words repealed by Superannuation Act 1972 (c. 11), **Sch. 8**

F143 Words substituted by Superannuation Act 1972 (c. 11), **Sch. 6 para. 81(b)**

Marginal Citations

M144 1959 c. 22.

Seconding of staff from local or other authorities

17 (1) This paragraph has effect in order to meet any temporary shortage of staff to be appointed by the Lord Chancellor for the Supreme Court or county courts which may arise in the course of bringing the provisions of this Act into force.

(2) A local or other authority may enter into any agreement with the Lord Chancellor for the placing at the disposal of the Lord Chancellor, on such terms as may be provided by the agreement, of the services of any person who is employed by the authority and who gives his consent.

(3) For the avoidance of doubt it is hereby declared that for superannuation purposes service rendered by a person whose services are placed at the disposal of the Lord Chancellor in pursuance of this paragraph is service rendered to the authority by whom that person is employed.

(4) This paragraph applies whether or not the staff to be placed at the disposal of the Lord Chancellor were employed in the discharge by the authority of duties of which the authority will be relieved by this Act, and is without prejudice to any other power exercisable by the authority for the purposes set out in sub-paragraph (2) above.

SCHEDULE 11

Section 56.

REPEALS

Modifications etc. (not altering text)

C49 The text of Schedule 11 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status: *Point in time view as at 03/01/1995.*
Changes to legislation: *Courts Act 1971 is up to date with all changes known to be in force on or before 14 July 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)*

PART I

JURIES

Chapter	Short Title	Extent of Repeal
6 Geo. 4. c. 50.	The Juries Act 1825.	The whole Act except sections 1, 27, 29 and 50. In section 27 the words from "provided that nothing" to the end of the section. In section 50 the words from "Provided also" to the end of the section.
7 Geo. 4. c. 64.	The Criminal Law Act 1826.	Section 21.
1 & 2 Vict. c. 4.	The Quarter Sessions Act 1837.	The whole Act.
15 & 16 Vict. c. 76.	The Common Law Procedure Act 1852.	Sections 105 to 115.
17 & 18 Vict. c. 125.	The Common Law Procedure Act 1854.	Section 59.
25 & 26 Vict. c. 107.	The Juries Act 1862.	The whole Act.
33 & 34 Vict. c. 77.	The Juries Act 1870.	Section 6. Section 19. Section 20 except as respects service at a coroner's court. Section 21. In section 23 the words from "be allowed at" to "court, and". Section 24. In the Schedule, in the entry beginning "Officers of the courts" the words "and the clerks of the peace or their deputies" and the penultimate three entries, that is the words from "Members of the council" to "he is a justice".

Chapter	Short Title	Extent of Repeal
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1882.	Section 186.
50 & 51 Vict. c. 55.	The Sheriffs Act 1887.	Section 12. In section 26 the words "to impanel or return any inquest, jury or tales, or ". In the second form in Schedule 2 all the words following "I shall remain therein ".
10 Edw. 7 & 1 Geo. 5. c. 17.	The County Common Juries Act 1910.	The whole Act.
9 & 10 Geo. 5. c. 71.	The Sex Disqualification (Removal) Act 1919.	In section 1 the words from the last "and" in proviso (*a*) to "the Indictments Act 1915".
12 & 13 Geo. 5. c. 11.	The Juries Act 1922.	Sections 3, 4 and 5. In section 7 the definition of "sheriff". In section 8(2)(*b*) the words "(without prejudice to the provisions of section thirty-seven of the Juries Act 1825)".
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	Section 35(3).
12, 13 & 14 Geo. 6. c. 27.	The Juries Act 1949.	Sections 2 to 9. Section 11. In section 14 paragraphs (*c*) and (*d*). Sections 18 and 19. Section 22.
12, 13 & 14 Geo. 6. c. 86.	The Electoral Registers Act 1949.	In Schedule 2 the amendment of section 1(8) of the Juries Act 1922.
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	Section 95. Section 96(3).
1964 c. 42.	The Administration of Justice Act 1964.	In section 21, subsections (3) and (4), subsection (5)(*b*)(*c*) and subsections (7), (8) and (9).
1967 c. 80.	The Criminal Justice Act 1967.	Section 14(5).
1969 c. 48.	The Post Office Act 1969.	In Schedule 4, in paragraph 14 the words "section 11 of the Juries Act 1862 and" and the word "each".
1970 c. 9.	The Taxes Management Act 1970.	In section 5(2) the words "in the county wherein he dwells".

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PART II

LOCAL COURTS

Chapter	Short Title	Extent of Repeal
26 Hen. 8. c. 14.	The Jurisdiction in Liberties Act 1535.	Section 3 so far as saved from repeal by Schedule 5 to the Justices of the Peace Act 1968.
6 & 7 Will. 4. c. 19.	The Durham (County Palatine) Act 1836.	In section 1, the proviso.
13 & 14 Vict. c. 43.	The Court of Chancery of Lancaster Act 1850.	The whole Act.
15 & 16 Vict. c. lxxvii.	The London (City) Small Debts Extension Act 1852.	The whole Act.
17 & 18 Vict. c. 82.	The Court of Chancery of Lancaster Act 1854.	The whole Act.
31 & 32 Vict. c. cxxx.	The Salford Hundred Court of Record Act 1868.	The whole Act.
35 & 36 Vict. c. 86.	The Borough and Local Courts of Record Act 1872.	Section 8.
51 & 52 Vict. c. 57.	The Statute Law Revision (No. 2) Act 1888.	In section 2 the words " to the court of the county palatine of Lancaster or ".
52 & 53 Vict. c. 47.	The Palatine Court of Durham Act 1889.	The whole Act.
53 & 54 Vict. c. 23.	The Chancery of Lancaster Act 1890.	The whole Act.
53 & 54 Vict. c. 33.	The Statute Law Revision Act 1890.	In section 4 the words " to the court of the county palatine of Lancaster or ".
53 & 54 Vict. c. 39.	The Partnership Act 1890.	In section 23(2) the words " or the Chancery Court of the County Palatine of Lancaster ".
53 & 54 Vict. c. 51.	The Statute Law Revision (No. 2) Act 1890.	In section 2 the words " to the court of the county palatine of Lancaster or ".
55 & 56 Vict. c. 19.	The Statute Law Revision Act 1892.	In section 2 the words " to the court of the county palatine of Lancaster or ".
56 & 57 Vict. c. 14.	The Statute Law Revision Act 1893.	In section 2 the words " to the court of the county palatine of Lancaster or ".
56 & 57 Vict. c. 54.	The Statute Law Revision (No. 2) Act 1893.	In section 2 the words " to the court of the county palatine of Lancaster or ".
57 & 58 Vict. c. 56.	The Statute Law Revision Act 1894.	In section 2 the words " to the court of the county palatine of Lancaster or ".
59 & 60 Vict. c. 8.	The Life Insurance Companies (Payment into Court) Act 1896.	In section 3 the words from " or where " to " Court " in the last place where it occurs. In section 4 the words " or the Palatine Court, as the case may be ".

Chapter	Short Title	Extent of Repeal
59 & 60 Vict. c. 35.	The Judicial Trustees Act 1896.	In section 2 the words " and as respects trusts within its jurisdiction by a Palatine Court ".
8 Edw. 7. c. 49	The Statute Law Revision Act 1908.	In section 2 the words " to the court of the county palatine of Lancaster or ".
1 & 2 Geo. 5. c. clxxii.	The Salford Hundred Court of Record Act 1911.	The whole Act.
11 & 12 Geo. 5. c. lxxiv.	The Liverpool Corporation Act 1921.	Sections 244 to 263.
12 & 13 Geo. 5. c. 16.	The Law of Property Act 1922.	In section 188(6) the words from " and also " to " have jurisdiction ", except the words " or the county court ".
15 & 16 Geo. 5. c. 18.	The Settled Land Act 1925.	Section 113(2).
15 & 16 Geo. 5. c. 19.	The Trustee Act 1925.	In section 67, in subsection (1) the words from " and also " to " Durham " and in subsection (2) the words " Palatine Courts and ".
15 & 16 Geo. 5. c. 20.	The Law of Property Act 1925.	In section 203(3) the words from " and also " to " Durham ".
15 & 16 Geo. 5. c. 21.	The Land Registration Act 1925.	In section 3(ii) the words from " and also " to " Durham ". In section 138(1) the words from " and also " to " Durham ". In section 143(3) the words " or by the Court of Chancery of Lancaster or Durham " and the words " or such Court of Chancery respectively".
15 & 16 Geo. 5. c. 23.	The Administration of Estates Act 1925.	In section 55(1)(iv) the words from " and as respects " to the end of paragraph (iv).
15 & 16 Geo. 5. c. 22.	The Land Charges Act 1925.	In section 20(2) the words from " also " to " Durham ".
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act 1925.	Section 28. In section 209 the words " to the Court of the County Palatine of Lancaster, or ".
17 & 18 Geo. 5. c. 42.	The Statute Law Revision Act 1927.	In section 2 the words " to the court of the county palatine of Lancaster or ".
18 & 19 Geo. 5. c. 26.	The Administration of Justice Act 1928.	Section 14(1).
23 & 24 Geo. 5. c. 13.	The Foreign Judgments (Reciprocal Enforcement) Act 1933.	In section 11(1), in the definition of " Judgments given in the superior courts of the United Kingdom " the words from "the Court of Chancery" in the first place where they occur to " Durham ".

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Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 6. c. 22.	The Trade Marks Act 1938.	Section 39(12).
1 & 2 Geo. 6. c. 45.	The Inheritance (Family Provision) Act 1938.	In section 5(1), in the definition of " the court ", as originally enacted, the words from " and also " to " jurisdiction ", and in that definition as set out in Schedule 3 to the Family Provision Act 1966, the words from " the Court of Chancery ", where those words first occur, to " Durham or ".
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act 1938.	Section 15.
11 & 12 Geo. 6. c. 38.	The Companies Act 1948.	Section 218(2). Section 365(4).
11 & 12 Geo. 6. c. 62.	The Statute Law Revision Act 1948.	In section 2 the words " to the court of the county palatine of Lancaster or ".
14 Geo. 6. c. 6.	The Statute Law Revision Act 1950.	In section 2 the words " to the court of the county palatine of Lancaster or ".
15 & 16 Geo. 6 and 1 Eliz. 2. c. 49.	The Court of Chancery of Lancaster Act 1952.	The whole Act.
2 & 3 Eliz. 2. c. 5.	The Statute Law Revision Act 1953.	In section 2 the words " to the court of the county palatine of Lancaster or ".
2 & 3 Eliz. 2. c. xlviii.	The Manchester Corporation Act 1954.	Section 83.
4 & 5 Eliz. 2. c. 46.	The Administration of Justice Act 1956.	Section 2. In section 3, in subsections (1) and (3) the words " the Liverpool Court of Passage ", in subsection (4) the words from " and (where " to " Passage " and in subsections (5), (6) and (7) the words " the Liverpool Court of Passage ". In section 4(6) the words " the Liverpool Court of Passage ". Section 52.
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957.	In section 164(3) the words from " and the Court " to " Durham ".
6 & 7 Eliz. 2. c. 51.	The Public Records Act 1958.	In section 8(1), the proviso. In Schedule 1, paragraph 4(1)(e).
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	In section 55(1), the proviso. In section 140(3) the words from " and includes " to the end of the subsection. Section 169.

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2 c. 22—*cont.*	The County Courts Act 1959—*cont.*	In section 174(2) the words " or the Mayor's and City of London Court Funds' Rules, as the case may be ". In section 175 the words from " or the Mayor's " to the end of the section. In section 176 the words from " Mayor's " to " of this Act ". In section 180(2) the words from " (other " to " court) ". Section 183(3). Section 197.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In Schedule 7, the amendments of the Court of Chancery of Lancaster Act 1850.
8 & 9 Eliz. 2. c. 58.	The Charities Act 1960.	In section 46, the definition of " Attorney General ".
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act 1960.	In section 13(2)(*b*) the words " of the Chancery Court of a County Palatine ".
9 & 10 Eliz. 2. c. 38.	The Court of Chancery of Lancaster (Amendment) Act 1961.	The whole Act.
1965 c. 2.	The Administration of Justice Act 1965.	Section 11. In section 19(1), the words " or the Mayor's and City of London Court ".
1968 c. 23.	The Rent Act 1968.	In section 95(6), the words from " or the Court of Chancery " to " Durham ".
1969 c. 46.	The Family Law Reform Act 1969.	In section 6(1) the words from " the Court of Chancery " in the first place where they occur to " Durham ". In section 7(1), the words from " the Court of Chancery " in the first place where they occur to " Durham ".
1969 c. 58.	The Administration of Justice Act 1969.	Section 32.
1970 c. 31.	The Administration of Justice Act 1970.	In section 37(1) the words " or the county palatine of Lancaster ".

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PART III

COSTS IN CRIMINAL CASES

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6 & 1 Eliz. 2. c. 48.	The Costs in Criminal Cases Act 1952.	Sections 1 to 4. In section 5, in subsections (3) and (4), the words " and giving evidence ". Section 11. Section 15. Section 17(5).
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act 1960.	In Schedule 3, the amendments of the Costs in Criminal Cases Act 1952.
10 & 11 Eliz. 2. c. 15.	The Criminal Justice Administration Act 1962.	Section 18.
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 1, sub-paragraphs (2) to (4) of paragraph 23.
1964 c. 26.	The Licensing Act 1964.	In section 25, subsections (2) to (4).
1964 c. 42.	The Administration of Justice Act 1964.	In Schedule 3, paragraph 21 and paragraph 31(2)(3).
1967 c. 52.	The Tokyo Convention Act 1967.	Section 7(5).
1967 c. 58.	The Criminal Law Act 1967.	In Schedule 2, paragraph 15(2) from " and in relation " to the end of the paragraph.
1967 c. 80.	The Criminal Justice Act 1967.	In section 31, subsections (3) to (6). Section 32(1). In section 81, subsections (5), (6) and (7). In Schedule 4, paragraphs 21 and 22.
1968 c. 19.	The Criminal Appeal Act 1968.	Section 28(3). In Schedule 5, the amendments to sections 7, 8, 10 and 11 of the Costs in Criminal Cases Act 1952.
1968 c. 65.	The Gaming Act 1968.	In Schedule 2, sub-paragraphs (3) to (5) of paragraph 30 and in paragraph 32(2) the words " to (5) ". In Schedule 9, sub-paragraphs (3) to (5) of paragraph 14.
1968 c. 69.	The Justices of the Peace Act 1968.	In Schedule 3, in paragraph 4, sub-paragraph (1) from " or " in the first place where it occurs to the end of the sub-paragraph and sub-paragraph (3).

PART IV

OTHER REPEALS

Chapter	Short Title	Extent of Repeal
33 Hen. 8. c. 39.	The Crown Debts Act 1541.	Section 37.
34 & 35 Hen. 8. c. 26.	The Laws in Wales Act 1542.	Section 21.
31 Chas. 2. c. 2.	The Habeas Corpus Act 1679.	Section 6. Sections 17 and 18.
16 Geo. 2. c. 18.	The Justices Jurisdiction Act 1742.	Section 3.
25 Geo. 2. c. 36.	The Disorderly Houses Act 1751.	Section 10.
32 Geo. 3. c. 56.	The Servants' Characters Act 1792.	Section 10.
38 Geo. 3. c. 52.	The Counties of Cities Act 1798.	The whole Act.
44 Geo. 3. c. 102.	The Habeas Corpus Act 1804.	In section 1 the words from " or any justice of oyer " to " baron as aforesaid " and the words " or any sitting of nisi prius " and the words " grand, petit or other ".
51 Geo. 3. c. 100.	The Counties of Cities Act 1811.	The whole Act.
52 Geo. 3. c. 155.	The Places of Religious Worship Act 1812.	In section 7 the words from " before or at " to the end of the section. In section 10 the words " or the courts of the counties palatine of Lancaster, and Durham (as the case shall require) ". Section 12. Sections 16 and 17.
54 Geo. 3. c. 159.	The Harbours Act 1814.	Section 23. Section 26.
57 Geo. 3. c. 91.	The Clerks of the Peace (Fees) Act 1817.	The whole Act.
57 Geo. 3. c. 93.	The Distress (Costs) Act 1817.	In section 7 the words " either " and " quarter or other ".
59 Geo. 3. c. 7.	The Cutlery Trade Act 1819.	Section 9. In section 10 the words " and also for the said justices in quarter sessions assembled " and the word " respectively ".
60 Geo. 3 & 1 Geo. 4. c. 1.	The Unlawful Drilling Act 1819.	In section 2 the words from " and it shall be lawful " to the end of the section.
4 Geo. 4. c. 48.	The Judgment of Death Act 1823.	The whole Act.
7 Geo. 4. c. 63.	The County Buildings Act 1826.	The whole Act.
7 Geo. 4. c. 64.	The Criminal Law Act 1826.	Sections 12 and 13. Section 31.
9 Geo. 4. c. 69.	The Night Poaching Act	Sections 6, 7 and 8.

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Chapter	Short Title	Extent of Repeal
11 Geo. 4 & 1 Will. 4. c. 70.	The Law Terms Act 1830.	Section 15.
1 & 2 Will. 4. c. 32.	The Game Act 1831.	Section 44.
3 & 4 Will. 4. c. 35.	The Inclosure and Drainage (Rates) Act 1833.	In section 3 the words from " which shall be holden " to the end of the section. In section 4 the words " or adjudication made on appeal therefrom ".
3 & 4 Will. 4. c. 41.	The Judicial Committee Act 1833.	Sections 10, 11 and 12.
5 & 6 Will. 4. c. 50.	The Highways Act 1835.	Sections 105 to 108.
7 Will. 4 & 1 Vict. c. 24.	The County Buildings Act 1837.	The whole Act.
7 Will. 4 & 1 Vict. c. 77.	The Central Criminal Court Act 1837.	The whole Act.
1 & 2 Vict. c. 38.	The Vagrancy Act 1838.	Section 1.
2 & 3 Vict. c. 69.	The Judges' Lodgings Act 1839.	The whole Act.
2 & 3 Vict. c. 71.	The Metropolitan Police Courts Act 1839.	Section 32.
3 & 4 Vict. c. 92.	The Non-Parochial Registers Act 1840.	In section 11, the words " on the trial of any cause in any of the courts of common law, or " and the words from " at any session " to " Wales ".
3 & 4 Vict. c. 110.	The Loan Societies Act 1840.	In section 4, the words following " general quarter sessions " to " transmitted to him as aforesaid ", and the words " without motion ".
4 & 5 Vict. c. 30.	The Ordnance Survey Act 1841.	In section 2, the words from " who shall hear " to the end of the section. In section 5 the words from " and in case it shall happen " to " in the execution of the purposes of this Act ". In section 6 the words " or by such inhabitants as aforesaid ".
5 & 6 Vict. c. 38.	The Quarter Sessions Act 1842.	The whole Act.
6 & 7 Vict. c. 98.	The Slave Trade Act 1843.	In section 4 the words from " or information " to " Queen's Bench ", the words " or informations respectively " and the words " in Her Majesty's said Court of Queen's Bench".
7 & 8 Vict. c. 33.	The County Rates Act 1844.	Section 7.
8 & 9 Vict. c. 16.	The Companies Clauses Consolidation Act 1845.	Section 160.

Chapter	Short Title	Extent of Repeal
10 & 11 Vict. c. 16.	The Commissioners Clauses Act 1847.	In section 3 the definition of " quarter sessions ". Section 93.
10 & 11 Vict. c. 27.	The Harbours, Docks and Pier Clauses Act 1847.	Section 26. In section 85 the words " England or ". In section 90 the words " or the court of quarter sessions ", the words " or of the chairman of the court " and the words " or chairman ".
10 & 11 Vict. c. 28.	The County Buildings Act 1847.	The whole Act.
10 & 11 Vict. c. 34.	The Towns Improvement Clauses Act 1847.	In section 3 the definition beginning " The expression ' quarter sessions ' ". In section 185 the words from " holden " to " poor rates ", and the words from " but no such appeal " to the end of the section. In section 186 the words from " holden " to the end of the section. Section 187. In section 189 the words from " and shall likewise " to " within their jurisdiction ". Section 190.
10 & 11 Vict. c. 89.	The Town Police Clauses Act 1847.	In section 3 the definition beginning " The expression ' quarter sessions ' ".
11 & 12 Vict. c. 42.	The Indictable Offences Act 1848.	In section 32 the words from " and also nothing " to the end of the section.
11 & 12 Vict. c. 43.	The Summary Jurisdiction Act 1848.	The whole Act.
12 & 13 Vict. c. 45.	The Quarter Sessions Act 1849.	The whole Act.
12 & 13 Vict. c. 109.	The Petty Bag Act 1849.	The whole Act.
13 & 14 Vict. c. 26.	The Piracy Act 1850.	In section 6 the words from " in Her Majesty's " to the end of the section except for the words " in England ".
14 & 15 Vict. c. 100.	The Criminal Procedure Act 1851.	Section 27. In section 30 the words " and any nisi prius record ".
16 & 17 Vict. c. 30.	The Criminal Procedure Act 1853.	Section 2.
18 & 19 Vict. c. 15.	The Judgments Act 1855.	The whole Act.
21 & 22 Vict. c. 73.	The Stipendiary Magistrates Act 1858.	In section 3, the words from " acts to be " to " sessions or to ". Sections 9 to 12.
24 & 25 Vict. c. 45.	The General Pier and Harbour Act 1861.	In section 15 the words " England and ".

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Chapter	Short Title	Extent of Repeal
24 & 25 Vict. c. 97.	The Malicious Damage Act 1861.	Section 68. In section 69 the words " or adjudication made on appeal therefrom ".
25 & 26 Vict. c. 114.	The Poaching Prevention Act 1862.	In section 5 the words " or adjudication made on appeal therefrom ". Section 6.
27 & 28 Vict. c. 25.	The Naval Prize Act 1864.	In section 46 the words from " to be proceeded against " to " Admiralty, and ".
27 & 28 Vict. c. 39.	The Union Assessment Committee Amendment Act 1864.	The whole Act.
28 & 29 Vict. c. 104.	The Crown Suits Act 1865.	The whole Act.
30 & 31 Vict. c. 35.	The Criminal Law Amendment Act 1867.	In section 6 (as amended by the Magistrates' Courts Act 1952) the words " clerk of assize, clerk of the peace or other ".
30 & 31 Vict. c. 36.	The Chester Courts Act 1867.	The whole Act.
30 & 31 Vict. c. 48.	The Sale of Land by Auction Act 1867.	In section 8 the words " or of the Court of Chancery in the County Palatine of Lancaster ".
30 & 31 Vict. c. 115.	The Justices of the Peace Act 1867.	The whole Act.
32 & 33 Vict. c. 62.	The Debtors Act 1869.	In section 10 the words from "As respects any other court " to " judge of such court ". Section 29.
35 & 36 Vict. c. 51.	The Judges Salaries Act 1872.	In section 4 the words " county court judge ".
37 & 38 Vict. c. 45.	The County of Hertford and Liberty of St. Alban Act 1874.	Sections 16 to 20. Sections 36 and 37. Section 42.
38 & 39 Vict. c. 17.	The Explosives Act 1875.	In section 75 the words from " where the justices " to " other local authority " and " itself ".
38 & 39 Vict. c. 55.	The Public Health Act 1875.	In section 4 the definition of "court of quarter sessions ".
38 & 39 Vict. c. 86.	The Conspiracy and Protection of Property Act 1875.	Section 12.
38 & 39 Vict. c. 89.	The Public Works Loans Act 1875.	In section 33 the words from " The Court of Exchequer " to " the proceeding ".
39 & 40 Vict. c. 57.	The Winter Assizes Act 1876.	The whole Act.
39 & 40 Vict. c. 77.	The Cruelty to Animals Act 1876.	Section 16.
40 & 41 Vict. c. 46.	The Winter Assizes Act 1877.	The whole Act.
41 & 42 Vict. c. 50.	The County of Hertford Act 1878.	The whole Act.

Chapter	Short Title	Extent of Repeal
42 & 43 Vict. c. 1.	The Spring Assizes Act 1879.	The whole Act.
42 & 43 Vict. c. 19.	The Habitual Drunkards Act 1879.	Section 30.
42 & 43 Vict. c. 49.	The Summary Jurisdiction Act 1879.	The whole Act.
44 & 45 Vict. c. 60.	The Newspaper Libel and Registration Act 1881.	In section 16 the words from " and enforced " to the end of the section.
45 & 46 Vict. c. 31.	The Inferior Courts Judgments Extension Act 1882.	In section 4 the words from " or, in the City " to " London Court ".
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1882.	In section 105 the words " quarter and " and the words " or an assize courthouse with or without judge's lodgings ". Section 150, but not so as to affect the areas which are rating areas at the commencement of this Act. Section 151. In section 152(1) the words from "in addition" to " section ". In section 153(1) the words " and having a separate court of quarter sessions " and paragraph (*a*). In section 154(2) the words " exercisable out of quarter sessions ". In section 158(1) the words from " except that " to the end of the subsection. In section 159(3) the words " at any court of gaol delivery or quarter sessions ". Sections 162 to 168. Sections 175 to 177. Section 185. In section 187 the words " or of a separate court of quarter sessions ". Sections 188 and 189. Section 219(2). Section 225(7). In section 234 the words " by the clerk of the peace (if any) for the borough " and paragraph (*e*). In section 248(2) the words " court of quarter sessions " (where they first occur), " recorder " and the words " and clerk of the peace ". Section 252. In Schedule 5 paragraphs 4 and 6. Schedule 6.

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Chapter	Short Title	Extent of Repeal
45 & 46 Vict. c. 72.	The Revenue, Friendly Societies and National Debt Act 1882.	Section 24(*c*).
46 & 47 Vict. c. 18.	The Municipal Corporations Act 1883.	In subsections (2) and (3) of section 15 the word " Recorder ".
50 & 51 Vict. c. 55.	The Sheriffs Act 1887.	Section 9. Section 13. In section 14 subsections (2) and (3). Section 19. In section 29(3) the words " any court of assize, oyer and terminer or gaol delivery ". In section 34(*e*) the words " to the return of panels or juries, or ". Section 35. In section 36(4) the words from " and any jurisdiction " to the end of the section.
50 & 51 Vict. c. 71.	The Coroners Act 1887.	In section 10(1) the words " found by a grand jury ". Section 15.
51 & 52 Vict. c. 41.	The Local Government Act 1888.	In section 3 paragraph (iv), in paragraph (ix) the words " the clerk of the peace and ", in paragraph (x) the words " the clerk of the peace and ". Section 8. In section 31 the words from " and if " in the proviso to the end of the section. In section 32(3) paragraph (*a*) and in paragraph (*b*) the words " quarter sessions and " and the words from " and if " to the end of the paragraph. In section 34(1)(*a*) the words " clerk of the peace and ". Section 35(5). Section 37. In section 42(12) the words " Quarter sessions ", the words " may be held and " and the words from " but no jurors " to the end of the subsection. In section 46(5) the words " chairman of quarter sessions or " and the words " or for any assize courts " and the words " chairman or ".

Chapter	Short Title	Extent of Repeal
51 & 52 Vict. c. 41.—*cont.*	The Local Government Act 1888.—*cont.*	Section 64(1)(*a*). Section 81. In section 83, subsections (4) and (9). In section 100 in the definition of court costs the words " of assizes and ", " quarter and ", the words from " the judges' lodgings " to " peace ", " the costs of the jury lists " and the words from " the assizes " to " the judges " except for the words " petty sessions ".
52 & 53 Vict. c. 10.	The Commissioners for Oaths Act 1889.	In section 1(2) the words from " including all proceedings " to the end of the subsection.
52 & 53 Vict. c. 12.	The Assizes Relief Act 1889.	The whole Act.
52 & 53 Vict. c. 63.	The Interpretation Act 1889.	In section 13 paragraphs (4), (5) and (14).
54 & 55 Vict. c. 40.	The Brine Pumping (Compensation for Subsidence) Act 1891.	In section 42 the words from " The provisions of section 31 " to the end of the section.
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	Section 682.
63 & 64 Vict. c. 27.	The Railway Employment (Prevention of Accidents) Act 1900.	Section 11(2).
6 Edw. 7. c. 46.	The Recorders, Stipendiary Magistrates, and Clerks of the Peace Act 1906.	The whole Act.
8 Edw. 7. c. 41.	The Assizes and Quarter Sessions Act 1908.	The whole Act.
1 & 2 Geo. 5. c. 6.	The Perjury Act 1911.	In section 9(1) the words from " or any sheriff " to " executed " and the words from " at the proper court " to the end of the subsection. Section 9(2).
3 & 4 Geo. 5. c. 32.	The Ancient Monuments Consolidation and Amendment Act 1913.	Section 14(2).
4 & 5 Geo. 5. c. 59.	The Bankruptcy Act 1914.	In section 140 the words from " or in the Court " to " Lancaster ".
5 & 6 Geo. 5. c. 90.	The Indictments Act 1915.	Section 2(3). In Schedule 1 paragraph 13(3).
10 & 11 Geo. 5. c. 81.	The Administration of Justice Act 1920.	Section 3(2).
14 & 15 Geo. 5. c. 17.	The County Courts Act 1924.	Section 3. Section 5. Section 11(2).
15 & 16 Geo. 5. c. 28.	The Administration of Justice Act 1925.	Section 19.

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Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act 1925.	In section 3(1) the words from " or any person " to " High Court " in the first place where those words occur and the proviso to that subsection. Section 18(2)(*a*)(vii). Section 25. Section 52. Sections 70 to 83. In section 98(1) the words " other than a criminal proceeding by the Crown ". Section 104(2). Section 105(2). Section 106. Section 109 and 109A. Sections 111 to 114. Section 115(3). Section 116(4). Section 118(2). Section 119(1). Section 123. Section 125. Sections 130 to 132. Section 201. In section 213(1) the words " or in any court created by any commission ". In section 225 the definitions of " clerk of assize ", " commission of assize ", " county ", " spring assizes " and " winter assizes ". In Schedule 1 the entry relating to the Petty Bag Act 1849. In Schedule 3, in Part I, the words " Official Referee to the Supreme Court ". In Schedule 4 the entry relating to an Official Referee and in column 2 of that Schedule paragraphs 2(ii) and 4(iii).
15 & 16 Geo. 5. c. 86.	The Criminal Justice Act 1925.	In section 11 subsections (1), (2) and (4). Section 14. Section 20. Section 23. In section 41(2)(*b*) the word " recorder ". In section 49(2) the definition of quarter sessions.
16 & 17 Geo. 5. c. 59.	The Coroners (Amendment) Act 1926.	In section 25(2) the words from " and such rules " to the end of the subsection.
18 & 19 Geo. 5. c. 26.	The Administration of Justice Act 1928.	Sections 3 and 4. In Schedule 1, the amendments of sections 112 and 116 of the Judicature Act 1925.

Chapter	Short Title	Extent of Repeal
19 & 20 Geo. 5. c. 17.	The Local Government Act 1929.	In section 79(1) the words " or special juror ".
20 & 21 Geo. 5. c. 44.	The Land Drainage Act 1930.	In section 30(4) the words from the beginning to " section, but ".
20 & 21 Geo. 5. c. 51.	The Reservoirs (Safety Provisions) Act 1930.	In section 5(1) the words " for the county or borough in which any part of the reservoir is situate ".
21 & 22 Geo. 5. c. 45.	The Local Government (Clerks) Act 1931.	The whole Act.
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 56(2)(*b*).
23 & 24 Geo. 5. c. 36.	The Administration of Justice (Miscellaneous Provisions) Act 1933.	Section 1. In section 2, in subsection (1) the words " or chairman ", subsections (4) and (5) and in subsection (6) the words " or of a commissioner of assize ". In Schedule 2, paragraph 2.
23 & 24 Geo. 5. c. 38.	The Summary Jurisdiction (Appeals) Act 1933.	The whole Act.
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933.	Section 59(3). In section 98 the words from " but " to the end of the section. In section 100 subsection (2) and in subsection (3) in paragraph (*a*) the words from " or if " to " either office ", proviso (i) and in proviso (ii) the words from the beginning to " of the county ", and in subsection (4) the words from " or, where " to " those offices ". In section 148(1)(*d*) the words " court of quarter sessions ", " clerk of the peace " and the word " sessions ". Section 242(2). In section 275(3) the words " palatine court or ".
24 & 25 Geo. 5. c. 53.	The County Courts Act 1934.	Section 9. Section 29. Part I of Schedule 1.
1 Edw. 8 & 1 Geo. 6. c. 68.	The Local Government Superannuation Act 1937.	Section 19. Part II of Schedule 2.
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act 1938.	Sections 1 to 5. In section 8 the words " or court of quarter sessions ", Section 11. In Schedule 2 the amendments of sections 77 and 78 of the Judicature Act, of the Criminal Justice Act 1925 and of the local Acts for Middlesex and Hertfordshire.

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Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 6. c. 67.	The Supreme Court of Judicature (Amendment) Act 1938.	In section 2 subsections (2) and (3).
9 & 10 Geo. 6. c. 78.	The Supreme Court of Judicature (Circuit Officers) Act 1946.	The whole Act.
11 & 12 Geo. 6. c. 24.	The Police Pensions Act 1948.	Section 5(2)(3).
11 & 12 Geo. 6. c. 38.	The Companies Act 1948.	In section 270(9) the words following " Lord Chancellor " to " that court ".
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	In section 8(3) paragraph (*b*) of the proviso. Section 17(3). Section 20(4). In section 35(2) the words " chairman of quarter sessions, recorder " and subsection (3). Section 37(5). In Schedule 9 the amendments of the Diplomatic Privileges Act 1708, the Beerhouse Act 1840, the Queen's Remembrancer Act 1859, the Local Government Act 1888, the Criminal Appeal Act 1907, the Costs in Criminal Cases Act 1908, the Licensing (Consolidation) Act 1910, the Local Government (Clerks) Act 1931 and the Summary Jurisdiction (Appeals) Act 1933.
12, 13 & 14 Geo. 6. c. 51.	The Legal Aid and Advice Act 1949.	In Schedule 1 heads (*e*) to (*k*) of paragraph 1 and paragraph 5.
12, 13 & 14 Geo. 6. c. 68.	The Representation of the People Act 1949.	Section 45(6). In section 111, subsections (1), (2), (4) and (7), and in subsection (3) the words " by the sheriff, mayor or other person ". In section 163 in the definition of " public office " the words " clerk of the peace ".
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	In section 31, in subsection (2) paragraphs (*a*) and (*d*), and in subsections (3), (4), (5) and (6) the words " or committee " wherever they occur, and subsection (7).

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	In section 8(4), as set out in Schedule 4 to the Justices of the Peace Act 1968, the words " or recorder " and the words from " and a paid " to the end of the subsection, and section 8(8)(*a*). Section 10(5) except as respects Orders made before the coming into force of this repeal. In section 13, in subsection (1) the words " as a court of quarter sessions or " and in subsection (4) the words " at quarter sessions or ". In section 16, paragraph (*b*) of the proviso to subsection (2), subsection (5) from the words " so however " onwards and subsection (6)(*a*). In section 20(6) the words " clerk of the peace ". In section 27(2) the words from " otherwise " to " sessions ". Sections 38 and 39. In section 44(1) the definition of " court of quarter sessions ". In Schedule 2— in paragraph 11, in sub-paragraph (1) from the words " and the reference " to the end of the sub-paragraph, and in sub-paragraph (2) the words from " and in the case " to the end of the sub-paragraph, paragraphs 12 and 13, in paragraph 17, except as respects Orders made before the coming into force of this repeal, in sub-paragraph (1) the words " (including recorders) " and " court of quarter sessions or " (twice), and in sub-paragraph (2), in paragraph (*a*), the words " in or out of quarter sessions (including a recorder) " and paragraph (*d*). In Schedule 4 paragraphs 1(3) and 4.

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Chapter	Short Title	Extent of Repeal
14 & 15 Geo. 6. c. 11.	The Administration of Justice (Pensions) Act 1950.	Section 22. In Schedule 1 the entry beginning " Judge appointed for a district " and the entries relating to an Official Referee and to a Clerk of Assize. In Schedule 2, in the amendment of the County Courts Act 1934, the words from " in Part I " to " fortieths ". Schedule 4.
14 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule the entries relating to the Levy of Fines Act 1822, the Juries Act 1825 and the Summary Jurisdiction Act 1848.
14 & 15 Geo. 6. c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	In section 48 the words " or clerk of the peace ". In Schedule 2, in Part I, the entry relating to clerk and deputy clerk of the peace, in Part II the two entries relating to clerk and deputy clerk of the peace.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 52.	The Prison Act 1952.	In section 6, subsection (1), in subsection (2) the words from " other than " to " section ", in subsection (3) the words " visiting committees and " and the words " visiting committee or ", and subsection (4). Section 20. In section 25(7) the words " but not for the purpose of subsection (2) thereof ". In section 43(4)(*a*), the words " subsection (1) of section six ".
15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	Section 1(4). Sections 9 to 12. In section 19(3) the words " tell him before what court he would be tried if tried by a jury and ". In section 25(3) the words " tell him before what court he would be tried if tried by a jury and ". In section 34 the words " of assize or quarter sessions ". Section 84. Section 85(1). In section 126(1) the definition of " clerk of assize ". Section 129. In Schedule 2 paragraph 6.

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.—*cont.*	The Magistrates' Courts Act 1952.—*cont.*	In Schedule 5, in the amendment of the Criminal Law Amendment Act 1867 the words " clerk of assize, clerk of the peace or other ", and the amendments of the Assizes Relief Act 1889, the Summary Jurisdiction (Appeals) Act 1933 and sections 20 and 29 of the Criminal Justice Act 1948.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 68.	The Cinematograph Act 1952.	Section 6(2).
1 & 2 Eliz. 2. c. 25.	The Local Government Superannuation Act 1953.	Section 24. In Schedule 1, paragraph 11.
2 & 3 Eliz. 2. c. 27.	The Judges' Remuneration Act 1954.	The whole Act.
2 & 3 Eliz. 2. c. 38.	The Supreme Court Officers (Pensions) Act 1954.	Section 1. Section 3.
4 & 5 Eliz. 2. c. 34.	The Criminal Justice Administration Act 1956.	Part I. Sections 13 to 15. Section 16(1)(*a*). In section 17, in subsection (1) the words from " nor " to the end of the subsection, and subsections (3) and (4). Sections 19 and 20. In section 21(2) the words from " except " to the end of the subsection. Schedule 1.
4 & 5 Eliz. 2. c. 46.	The Administration of Justice Act 1956.	Sections 9 and 10. In section 25(1) the words from the beginning to " accordingly ". Section 52.
4 & 5 Eliz. 2. c. 69.	The Sexual Offences Act 1956.	In section 37(2) the words " if an indictment is not triable by a court of quarter sessions ". In Schedule 2, in column 2, the words " not triable at quarter sessions " wherever they occur, and in paragraph 16 the words from " triable " to " not otherwise " (twice).
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Schedule 1, in Part I, all the entries from the first entry beginning " Commissioner " to the entry beginning " Judge of a County Court " except the entries relating to— Judge of the Courts-Martial Appeal Court, and

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Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2. c. 20—*cont.*	The House of Commons Disqualification Act 1957—*cont.*	Chairman of the Scottish Lands Court; the six entries beginning with that relating to the Presiding Judge of the Liverpool Court of Passage and ending with the last entry beginning with the words "Whole-time salaried"; and the entry "Official Referee to the Supreme Court". In Schedule 1, in Part III, the entry "Clerk of Assize" and the entry "Registrar of any district of the Court of Chancery of the County Palatine of Lancaster". In Schedule 1, in Part IV the entries relating to a recorder and to a chairman or deputy chairman of a court of quarter sessions. In Schedule 3, in Part III of Schedule 1 as there set out the words "Clerk of Assize".
5 & 6 Eliz. 2. c. 27.	The Solicitors Act 1957.	In section 18(1) the words "any court of assize, any general or quarter sessions". In section 29(5) in the definition of "county office" the words "clerk or deputy clerk of the peace of a county", the words "the court of quarter sessions or by" and the words "or by a joint committee of the court of quarter sessions and the county council".
5 & 6 Eliz. 2. c. 46.	The Judicial Offices (Salaries and Pensions) Act 1957.	In section 1, subsection (1)(*a*), in subsection (2) the words "to a recorder" and subsection (6). Section 2. Schedule 1.
5 & 6 Eliz. 2. c. 52.	The Geneva Conventions Act 1957.	In section 1(3) the words "Neither a court of quarter sessions".
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957.	Section 14(6)(7).
6 & 7 Eliz. 2. c. 55.	The Local Government Act 1958.	In section 38(2) the words "and a court of quarter sessions".
7 & 8 Eliz. 2. c. 5.	The Adoption Act 1958.	Section 31(5).

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	In section 2(2), the proviso. Sections 3 to 10. Sections 12 to 17. Section 28. Section 33. In section 34(1) the words from "so however" to the end of the subsection. In Schedule 2, paragraph 2(1).
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	In section 60, subsections (1), (3), (4) and (5). Section 275(3). In section 276, in subsection (1) the words from "the appeal" to the end of the subsection, and subsections (4), (7), (8) and (9).
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	Section 67(2). Section 68(3). Section 70(4). Section 115(3).
10 & 11 Eliz. 2. c. 15.	The Criminal Justice Administration Act 1962.	Section 2. In section 3 subsections (3) and (5). Sections 4 to 10. Sections 14 to 18. Section 21(3). Schedule 4 except for the amendments (in Part I) of the South Staffordshire Stipendiary Justices Act 1899 and (in Part II) of section 24 of the Magistrates' Courts Act 1952.
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 2, in paragraph 6, the words from "in accordance" to "1849". In Schedule 3, in paragraph 13(2), the words from "in accordance" to "1849". In Schedule 7, in paragraph 5, the words from "in accordance" to "1849".
1963 c. 33.	The London Government Act 1963.	In Schedule 6 paragraph 20.
1963 c. 37.	The Children and Young Persons Act 1963.	Section 19. In Schedule 3 paragraphs 28 and 51.
1964 c. 26.	The Licensing Act 1964.	Section 21(3). Subsections (1) and (2) of section 23. In section 38(*e*) the words "for the constitution, where requisite, of committees of quarter sessions as standing committees, and". Section 154(2).

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Chapter	Title or Short Title	Extent of Repeal
1964 c. 26 —*cont.*	The Licensing Act 1964 —*cont.*	In Schedule 11, in paragraph 14, the words from the beginning to " be ".
1964 c. 42.	The Administration of Justice Act 1964.	Section 1. In section 2, in subsection (3) the words " quarter sessions " and " the clerk of the peace ", and in subsection (4) the words from " and accordingly " to the end of the subsection. Sections 4 to 8. Section 10(5)(*a*). In section 13(2) the words " the chairman of the court of quarter sessions and " and the word " each ". Section 23. In section 25, subsection (1), in subsection (2) the words " commissions of assize and ", " quarter sessions " and " clerks of the peace " and subsections (3) and (4). In section 26 the words " quarter sessions ". In section 28, in subsection (2)(*a*) the words " or clerk of the peace ", subsection (2)(*b*) and in subsection (3) the words from " and ' clerk of the peace ' " to the end of the subsection. Section 29. Sections 34 and 35. Schedules 1 and 2. In Schedule 3 paragraphs 11, 14, 17, 22(1)(2), 23(1) and 28. Schedule 4.
1964 c. 84.	The Criminal Procedure (Insanity) Act 1964.	In section 5(4), the words from " at the next " to " have been tried ".
1964 c. iv.	The City of London (Courts) Act 1964.	Sections 4 to 6. Section 8. Sections 9 to 11. Sections 13 and 14. In section 15 the words " and the assistant judge of the court ", the words " and the assistant judge " and the proviso. Sections 16 to 21.
1965 c. 66.	The Hire-Purchase Act 1965.	Section 50.

Chapter	Title or Short Title	Extent of Repeal
1965 c. 69.	The Criminal Procedure (Attendance of Witnesses) Act 1965.	Section 3(3). Sections 5 and 6. Section 7(1). In Schedule 1, in paragraph 1 the words following " rules of court ", in paragraph 2 the words " or, as the case may be, standing orders " and sub-paragraph (*c*). In Schedule 2, the amendments of the Quarter Sessions Act 1842, and of the Assizes Relief Act 1889.
1966 c. 31.	The Criminal Appeal Act 1966.	In section 1(3) the words " of the Queen's Bench Division " and paragraph (*a*). Section 3(1). In Schedule 2 paragraph 5.
1967 c. 9.	The General Rate Act 1967.	In section 7(1) the words " in accordance with the Quarter Sessions Act 1849 " and the words " having jurisdiction in the rating district concerned ". In section 99(5) the words " for the area where the rate was made ".
1967 c. 19.	The Private Places of Entertainment (Licensing) Act 1967.	In section 5(4) the words from " and section 31 " to the end of the subsection.
1967 c. 28.	The Superannuation (Miscellaneous Provisions) Act 1967.	In section 3(4) in paragraph (*a*), in sub-paragraph (iii) the words " 9 or " and sub-paragraphs (vii) and (viii).
1967 c. 56.	The Matrimonial Causes Act 1967.	In section 2(2) the words from " and may so provide " to the end of the subsection.
1967 c. 58.	The Criminal Law Act 1967.	Section 8. Schedule 1. In Schedule 2, paragraph 1 and paragraph 15(2).
1967 c. 80.	The Criminal Justice Act 1967.	In section 22(4) the words " a court of quarter sessions ". In section 41, in subsection (1) the words " before which he appears or is brought " in the first place where they occur, in subsection (2) the words " having power to deal with him in respect of the suspended sentence " and subsection (3). In section 42(5) the words from " but if a warrant " to the end of the subsection.

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Chapter	Title or Short Title	Extent of Repeal
1967 c. 80 —*cont.*	The Criminal Justice Act 1967—*cont.*	In section 47, subsection (5), and in subsection (7) the words " and the clerk of the court ". Section 54(4). Section 56(7). In section 76(4), in paragraph (*b*) the words from " or any other court " to " 1962 " and in paragraph (*c*) the words from " or any other court " to " section 16 ". In section 95, subsections (4) and (5). In section 104(1) the definition of " the clerk of the court ".
1968 c. 5.	The Administration of Justice Act 1968.	Section 1(1)(*b*)(iii).
1968 c. 19.	The Criminal Appeal Act 1968.	In section 8(1), the words from " and shall be tried " to the end of the subsection. In section 24(2) the words from " and the reference " to the end of the subsection. In section 39(3) the words from " and the reference " to the end of the subsection. In Schedule 5 the amendment of the Children and Young Persons Act 1933.
1968 c. 27.	The Firearms Act 1968.	Section 44(2)(*a*). In Schedule 3, in Part I, paragraph 1. In Schedule 5, in Part I, the whole of the second column.
1968 c. 60.	The Theft Act 1968.	Section 29(1). In Schedule 2, in Part III, the amendment of the Criminal Law Act 1967.
1968 c. 63.	The Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968.	In section 1(4), the words " the Chancery Court of a County Palatine " and the words from " the Crown Court at Liverpool " to " quarter sessions ".
1968 c. 69.	The Justices of the Peace Act 1968.	Section 1(8)(*b*). In Schedule 1, all except the entries (in all three columns) for stipendiary magistrates and the Commissioners and Assistant Commissioners of Police of the Metropolis.

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Chapter	Short Title	Extent of Repeal
1968 c. 69 —*cont.*	The Justices of the Peace Act 1968—*cont.*	In Schedule 3, paragraph 2(2), in paragraph 3, the words " quarter sessions " and " the clerk of the peace ", in paragraph 4, sub-paragraphs (1), (2) and (3) and paragraph 7.
1969 c. 54.	The Children and Young Persons Act 1969.	Section 3(9).
1969 c. 58.	The Administration of Justice Act 1969.	In section 12 subsection (2)(*b*) and in subsection (8) the words " or commissioner " and " or paragraph (*b*) ". Section 25(1)(*a*). Section 26(1).
1970 c. 31.	The Administration of Justice Act 1970.	Sections 7 and 8. Section 45(1). In Schedule 2, in paragraph 6 the amendments of sections 70, 109, 113, 115 and 116 of the Judicature Act 1925, and paragraph 10. In Schedule 9, paragraphs 8 and 21.

The repeal by this Schedule of any enactment in the Companies Clauses Consolidation Act 1845, or in any other Act enacted for incorporation in other Acts, shall extend so as to repeal that enactment as incorporated in any Act.

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