

Status: Point in time view as at 01/04/2005.

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SCHEDULES

^{X1}SCHEDULE 5

Section 152(1).

CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of s. 152(1)(4)(5), Sch. 5 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

COLONIAL PROBATES ACT 1892 (c. 6)

In section 2(1), for “156A of the ^{M1}Supreme Court of Judicature (Consolidation) Act 1925” substitute “109 of the Supreme Court Act 1981”.

Marginal Citations

- M1** [1925 c. 49.](#)

Marginal Citations

- M1** [1925 c. 49.](#)

F1

Textual Amendments

- F1** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\), ss. 3\(1\), 5\(2\), Sch. Pt I, Sch. 4](#)

Textual Amendments

- F1** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\), ss. 3\(1\), 5\(2\), Sch. Pt I, Sch. 4](#)

F2

Textual Amendments

- F2** Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\), s. 75\(1\), Sch. 9 Pt. I](#) and also expressed to be repealed by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235\(2\)\(3\), Sch. 10 Pt. III](#)

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Textual Amendments

F2 Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I** and also expressed to be repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235(2)(3), **Sch. 10 Pt. III**

ADMINISTRATION OF ESTATES ACT 1925 (c. 23)

In section 47A(7) (notices to principal registrar of Family Division)—

- (a) for “principal registrar” substitute “Senior Registrar”; and
- (b) for the words from “made under” onwards substitute “of court made under section 127 of the Supreme Court Act 1981”.

LAW OF PROPERTY (AMENDMENT) ACT 1926 (c. 11)

In section 3(1), “for ^{M2}Supreme Court of Judicature (Consolidation) Act 1925” substitute “Supreme Court Act 1981”.

Marginal Citations

M2 [1925 c. 49](#).

Marginal Citations

M2 [1925 c. 49](#).

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT 1933 (c. 13)

1 ^{F3}

Textual Amendments

F3 Sch. 5: para. 1 of entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910, **art. 3(aa)(bb)**

^{F42}

Textual Amendments

F4 Sch. 5: para. 2 of the entry relating to the amendment of Foreign Judgments (Reciprocal Enforcement) Act 1933 repealed by [Civil Jurisdiction and Judgments Act 1982 \(c.27, SIF 45:3\)](#), s. 54, **Sch. 14**

ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1933 (c. 36)

Section 2(2)(b) shall continue to have effect with the amendments made by the ^{M3}Criminal Appeal Act 1964 and the ^{M4}Criminal Appeal Act 1966, that is with the insertion after “preferred” of “by the direction of the criminal division of the Court of Appeal”.

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Marginal Citations

M3 1964 c. 43.

M4 1966 c. 31.

Marginal Citations

M3 1964 c. 43.

M4 1966 c. 31.

F5

Textual Amendments

F5 Entry repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), [Sch. 16 Pt. XI](#)

Textual Amendments

F5 Entry repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), [Sch. 16 Pt. XI](#)

F6

Textual Amendments

F6 Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), [s. 75\(1\) Sch. 9 Pt. I](#) and also expressed to be repealed by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 29, [Sch. 1](#)

Textual Amendments

F6 Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), [s. 75\(1\) Sch. 9 Pt. I](#) and also expressed to be repealed by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 29, [Sch. 1](#)

CRIMINAL JUSTICE ACT 1948 (c. 58)

F7

Textual Amendments

F7 Sch. 5: entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, [Sch. 10](#); S.I. 2005/910, [art. 3\(aa\)\(bb\)](#)

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Textual Amendments

F7 Sch. 5: entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, [Sch. 10](#); S.I. 2005/910, [art. 3\(aa\)\(bb\)](#)

CONSULAR CONVENTIONS ACT 1949 (c. 29)

In section 1(4)—

- (a) for “(1) of section one hundred and sixty of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ (2) of section 114 of the Supreme Court Act 1981 ”;
- (b) after “must” insert “ in general ”; and
- (c) for “(2) of the said section one hundred and sixty” substitute “ (4) of that section ”.

ARBITRATION ACT 1950 (c. 27)

In section 38(3), for “ninety-nine of the ^{M5}Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

Marginal Citations

M5 [1925 c. 49.](#)

Marginal Citations

M5 [1925 c. 49.](#)

ARMY ACT 1955 (c. 18)

[^{F8}Section 110(1) shall continue to have effect with the amendments made by Part II of Schedule I to the ^{M6}Criminal Appeal Act 1966, that is—

- (a) with the substitution of “is under all the circumstances of the case unsafe or unsatisfactory” for the words from “ is unreasonable ” to “ evidence ”;
- (b) with the substitution of “there was a material irregularity in the course of the trial” for “ on any ground there was a miscarriage of justice ”; and
- (c) with the addition at the end of the following proviso—

“Provided that the confirming officer may, notwithstanding that he is of opinion that he would apart from this proviso withhold confirmation of the finding, confirm the finding if he considers that no miscarriage of justice has actually occurred.”.]

Textual Amendments

F8 Entry in Sch. 5 relating to the Army Act 1955 repealed (1.1.1996) by [1995 c. 35, s. 29\(2\)](#), [Sch.3](#); S.I. 1995/3061, [art. 3\(i\)\(vi\)](#) (with savings in [art. 4\(b\)](#))

Marginal Citations

M6 [1966 c. 31.](#)

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Textual Amendments

F8 Entry in Sch. 5 relating to the Army Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3**; S.I. 1995/3061, **art. 3(i)(vi)** (with savings in **art. 4(b)**)

Marginal Citations

M6 1966 c. 31.

AIR FORCE ACT 1955 (c. 19)

[^{F9}Section 110(1) shall continue to have effect with the amendments made by Part II of Schedule 1 to the Criminal Appeal Act 1966, that is with the same amendments as are specified in the entry in this Schedule relating to the ^{M7}Army Act 1955.]

Textual Amendments

F9 Entry in Sch. 5 relating to the Air Force Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3 S.I.** 1995/3061, **art.3(i)(vi)**

Marginal Citations

M7 1955 c. 18.

Textual Amendments

F9 Entry in Sch. 5 relating to the Air Force Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3 S.I.** 1995/3061, **art.3(i)(vi)**

Marginal Citations

M7 1955 c. 18.

F10

Textual Amendments

F10 Entry repealed by **Medical Act 1983 (c. 54, SIF 83:1), s. 36(2)(3), Sch. 7 Pt. I**

Textual Amendments

F10 Entry repealed by **Medical Act 1983 (c. 54, SIF 83:1), s. 36(2)(3), Sch. 7 Pt. I**

F11

Textual Amendments

F11 Entry repealed by **Dentists Act 1983 (c. 38, SIF 83:1), s. 33(2), Sch. 3**

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Textual Amendments

F11 Entry repealed by [Dentists Act 1983 \(c. 38, SIF 83:1\)](#), s. 33(2), **Sch. 3**

F12

Textual Amendments

F12 Entry repealed by [Opticians Act 1989 \(c. 44, SIF 83:1\)](#), s. 37, **Sch. 2**

Textual Amendments

F12 Entry repealed by [Opticians Act 1989 \(c. 44, SIF 83:1\)](#), s. 37, **Sch. 2**

F13

Textual Amendments

F13 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

Textual Amendments

F13 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

PROFESSIONS SUPPLEMENTARY TO MEDICINE ACT 1960 (c. 66)

In paragraph 2(2) of Schedule 2, for “forty-nine of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

NURSES (AMENDMENT) ACT 1961 (c. 14)

F14

Textual Amendments

F14 Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

RIVERS (PREVENTION OF POLLUTION) ACT 1961 (c. 50)

F15

Textual Amendments

F15 Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

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PUBLIC HEALTH ACT 1961 (c. 64)

F16

Textual Amendments

F16 Schedule 5: Entry relating to Public Health Act 1961 repealed (1. 12. 1991) by Water Consolidation (Consequential Provisions) Act 1991 c. 60, ss. 3(1), 4(2), **Sch. 3 Pt.I**

Textual Amendments

F16 Schedule 5: Entry relating to Public Health Act 1961 repealed (1. 12. 1991) by Water Consolidation (Consequential Provisions) Act 1991 c. 60, ss. 3(1), 4(2), **Sch. 3 Pt.I**

ADMINISTRATION OF JUSTICE ACT 1964 (c. 42)

F17

Textual Amendments

F17 Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

ADMINISTRATION OF JUSTICE ACT 1965 (c. 2)

1 F18

Textual Amendments

F18 Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

2 F19

Textual Amendments

F19 Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

3 F20

Textual Amendments

F20 Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

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VETERINARY SURGEONS ACT 1966 (c. 36)

In paragraph 4(2) of Schedule 2, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

ARBITRATION (INTERNATIONAL INVESTMENT DISPUTES) ACT 1966 (c. 41)

In sections 1(6) and 2(2), for “99 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

MATRIMONIAL CAUSES ACT 1967 (c. 56)

F21

Textual Amendments

F21 Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 1 Group 4}

CRIMINAL APPEAL ACT 1968 (c. 19)

1 In section 33 (right of appeal to House of Lords from decision of criminal division of Court of Appeal), after subsection (2) insert—

“(3) Except as provided by this Part of this Act and section 13 of the Administration of Justice Act 1960 (appeal in cases of contempt of court), no appeal shall lie from any decision of the criminal division of the Court of Appeal.”.

2 For subsection (1) of, and the side-note to, section 45 (jurisdiction of Court of Appeal, and construction of certain references in Parts I and II) substitute—

“45 Construction of references in Parts I and II to Court of Appeal and a single judge.

(1) References in Parts I and 11 of this Act to the Court of Appeal shall be construed as references to the criminal division of the Court.”

3 In Schedule 2 (provisions applicable on order for retrial), paragraph 2(4) shall have effect, and be deemed always to have had effect, as if for “Section 17(2) of the ^{M8}Criminal Justice Administration Act 1962” there were substituted “ Section 67 of the ^{M9}Criminal Justice Act 1967 ”.

Marginal Citations

M8 1962 c. 15.

M9 1967 c. 80.

HEARING AID COUNCIL ACT 1968 (c. 50)

In section 10(2), for “49 of the ^{M10}Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

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Marginal Citations

M10 1925 c. 49.

Marginal Citations

M10 1925 c. 49.

HOVERCRAFT ACT 1968 (c. 59)

- 1 In section 1(1)(h)(i) (power to apply to hovercraft etc. enactments about ships etc.), for “Act” substitute “ Act, or an enactment contained in sections 20 to 24 of the Supreme Court Act 1981 ”.
- 2 (1) Section 2 (Admiralty jurisdiction etc.) shall be amended as follows.
 - (2) In subsection (1)—
 - (a) for “Parts I and V” substitute “ Part V ”; and
 - (b) for the words from “the reference in section 4(1)” to “the said Schedule 1)” substitute “ the reference in paragraph 4(1) of the said Part I and the second reference in paragraph 8(1) of that Part) ”.
 - (3) After subsection (3) insert—

“(3A) Subsection (3) of this section shall have effect as if the reference to the enactments mentioned in subsection (1) as extended by that subsection included a reference to sections 20 to 24 of the Supreme Court Act 1981.”.

F22

Textual Amendments

F22 Entry repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**

Textual Amendments

F22 Entry repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**

F23

Textual Amendments

F23 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

Textual Amendments

F23 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

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ADMINISTRATION OF ESTATES ACT 1971 (c. 25)

- 1 (1) Section 11 (sealing of Commonwealth and Colonial grants) shall be amended as follows.
 - (2) In subsection (3)—
 - (a) for “167 of the ^{M11}Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 120 of the Supreme Court Act 1981 ”; and
 - (b) omit “and orders”.
 - (3) In subsection (8), for the definition of “probate rules and orders” substitute—

““probate rules” means rules of court made under section 127 of the Supreme Court Act 1981.”.

Marginal Citations
 M11 1925 c. 49.

- 2 In section 14(3), for “8” substitute “ 9 ”.

MISUSE OF DRUGS ACT 1971 (c. 38)

In paragraph 5(2) of Schedule 3, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

MERCHANT SHIPPING (OIL POLLUTION) ACT 1971 (c. 59)

F24

Textual Amendments
 F24 Entry in Sch. 5 relating to Merchant Shipping (Oil Pollution) Act 1971 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch.12 (with s. 312(1), Sch. 14 para. 1)

Textual Amendments
 F24 Entry in Sch. 5 relating to Merchant Shipping (Oil Pollution) Act 1971 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch.12 (with s. 312(1), Sch. 14 para. 1)

TRIBUNALS AND INQUIRIES ACT 1971 (c. 62)

F25

Textual Amendments
 F25 Entry in Sch. 5 repealed (1. 10. 1992) by Tribunals and Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), Sch. 4 Pt.I.

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Textual Amendments

F25 Entry in Sch. 5 repealed (1. 10. 1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(2), 19(2), **Sch. 4 Pt.I**.

F26

Textual Amendments

F26 Entry repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, **Sch. 1 Pt. I, Sch. 3**

Textual Amendments

F26 Entry repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, **Sch. 1 Pt. I, Sch. 3**

LAND CHARGES ACT 1972 (c. 61)

In section 6(4) (effect of non-registration of writs and orders registrable under section 6), for “section 36(3) of the Administration of Justice Act 1956” substitute “ section 37(5) of the Supreme Court Act 1981 ”.

HEALTH AND SAFETY AT WORK ETC. ACT 1974 (c. 37)

F27

Textual Amendments

F27 Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

F28

Textual Amendments

F28 Entry repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193, Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

Textual Amendments

F28 Entry repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193, Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

MERCHANT SHIPPING ACT 1974 (c. 43)

F29

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Textual Amendments

F29 Entry in Sch. 5 relating to [Merchant Shipping Act 1974 \(c. 43\)](#) repealed (1.1.1996) by [1995 c. 21, ss. 314\(1\), 316\(2\), Sch.12](#) (with s. 312(1), Sch. 14 para. 1)

Textual Amendments

F29 Entry in Sch. 5 relating to [Merchant Shipping Act 1974 \(c. 43\)](#) repealed (1.1.1996) by [1995 c. 21, ss. 314\(1\), 316\(2\), Sch.12](#) (with s. 312(1), Sch. 14 para. 1)

SOLICITORS ACT 1974 (c. 47)

- 1 In section 19(2), for “120 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 94 of the Supreme Court Act 1981 ”.
- 2 After section 81 insert—

“81A Fees for administering oaths and taking affidavits.

- (1) The Lord Chancellor may, with the concurrence of the Lord Chief Justice and the Master of the Rolls, by order prescribe the fees to be charged by—
- (a) commissioners for oaths; and
 - (b) solicitors exercising the powers of commissioners for oaths by virtue of section 81,
- in respect of the administration of an oath or the taking of an affidavit.
- (2) Any order under this section shall be made by statutory instrument, which shall be laid before Parliament after being made.
- (3) In this section “affidavit” has the same meaning as in the Commissioners for Oaths Act 1889.”.

HOUSE OF COMMONS DISQUALIFICATION ACT 1975 (c. 24)

In Part III of Schedule 1, in the entry beginning “Officer of the Supreme Court”, for the words from “within” onwards substitute “ being the holder of any office listed in any Part of Schedule 2 to the Supreme Court Act 1981 or a district registrar, or assistant district registrar, of the High Court ”.

NORTHERN IRELAND ASSEMBLY DISQUALIFICATION ACT 1975 (c. 25)

Part 111 of Schedule 1 shall have effect with the same amendment as is specified in the entry in this Schedule relating to the ^{M12}House of Commons Disqualification Act 1975.

Marginal Citations

M12 [1975 c. 24.](#)

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Marginal Citations

M12 1975 c. 24.

EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS) ACT 1975 (c. 34)

- 1 In section 4 (extension of powers of High Court etc. in relation to obtaining evidence for proceedings in that court) for the words from the beginning to “shall” substitute “ The ^{M13}Attendance of Witnesses Act 1854 (which enables the Court of Session to order the issue of a warrant of citation in special form, enforceable throughout the United Kingdom, for the attendance of a witness at a trial) shall ”.

Marginal Citations

M13 1854 c. 34.

- 2 **F30**

Textual Amendments

F30 Sch. 5: para. 2 of entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, [Sch. 10](#); [S.I. 2005/910](#), [art. 3\(aa\)\(bb\)](#)

FARRIERS (REGISTRATION) ACT 1975 (c. 35)

In paragraph 4(2) of Schedule 3, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

TORTS (INTERFERENCE WITH GOODS) ACT 1977 (c. 32)

- In section 4—
- (a) in subsection (4), for “99 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”; and
 - (b) in subsection (5), for “99” and “1925” substitute respectively “ 84 ” and “ 1981 ”.

INSURANCE BROKERS (REGISTRATION) ACT 1977 (c. 46)

In section 19(2), for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

F31
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Textual Amendments

F31 Entry repealed by [Medical Act 1983 \(c. 54, SIF 83:1\)](#), s. 36(2)(3), [Sch. 7 Pt. I](#)

Textual Amendments

F31 Entry repealed by [Medical Act 1983 \(c. 54, SIF 83:1\)](#), s. 36(2)(3), [Sch. 7 Pt. I](#)

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EMPLOYMENT PROTECTION (CONSOLIDATION) ACT 1978 (c. 44)

F32

Textual Amendments
F32 Entry in Sch. 5 relating to the Employment Protection (Consolidation) Act 1978 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt.1** (with s. 38)

Textual Amendments
F32 Entry in Sch. 5 relating to the Employment Protection (Consolidation) Act 1978 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt.1** (with s. 38)

ARBITRATION ACT 1979 (c. 42)

F33

Textual Amendments
F33 Sch. 5: entry repealed (22.7.2004) by **Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

CHARGING ORDERS ACT 1979 (c. 53)

In section 5(2), for “99 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

MAGISTRATES’ COURTS ACT 1980 (c. 43)

1 After section 43 insert—

“43A Functions of magistrates’ court where a person in custody is brought before it with a view to his appearance before the Crown Court.

- (1) Where a person in custody in pursuance of a warrant issued by the Crown Court with a view to his appearance before the Crown Court is brought before a magistrates’ court in pursuance of section 81(5) of the Supreme Court Act 1981—
 - (a) the magistrates’ 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.
- (2) A magistrates’ court shall have jurisdiction under subsection (1) whether or not the offence was committed, or the arrest was made, within the court’s area.”.

2 In section 87(2) for “penalty” substitute “ sum ”.

Status: Point in time view as at 01/04/2005.

Changes to legislation: Senior Courts Act 1981, SCHEDULE 5 is up to date with all changes known to be in force on or before 04 April 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)

F34

Textual Amendments

F34 Entry repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), ss. 274, 277, Schs. 7, 9

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JUDICIAL PENSIONS ACT 1981 (c. 20)

1 For subsection (2) of section 34 (county court registrars and assistant registrars) substitute—

“(2) Nothing in this Act shall apply to a part-time registrar or part-time assistant registrar within the meaning of subsection (3) of section 22 of the County Courts Act 1959 (restrictions on practice).”.

2 Schedule 1 (pensions, etc. of certain judicial officers) shall be amended as follows—

(a) in paragraph 1, for the list of Supreme Court officers (namely that beginning with “Master and Assistant Master of the Supreme Court, Queen’s Bench Division” and ending with “Registrar, and Assistant Registrar, of Criminal Appeals”) substitute—

“Master, Queen’s Bench Division.

Queen’s coroner and attorney and Master of the Crown Office.

Admiralty Registrar.

Master, Chancery Division.

Registrar in Bankruptcy of the High Court.

Taxing Master of the Supreme Court.

Registrar, Principal Registry of the Family Division.

Registrar of criminal appeals.

Registrar of civil appeals.

Master of the Court of Protection.”; and

(b) in paragraph 4—

(i) in sub-paragraph (1)(a), for “the prescribed number of years of” substitute “ 15 years ”, and

(ii) omit sub-paragraph (2).

Status:

Point in time view as at 01/04/2005.

Changes to legislation:

Senior Courts Act 1981, SCHEDULE 5 is up to date with all changes known to be in force on or before 04 April 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.