



# Civil Procedure Act 1997

## 1997 CHAPTER 12

### *Rules and directions*

#### **4 Power to make consequential amendments.**

- (1) The Lord Chancellor may [<sup>F1</sup>, after consulting the Lord Chief Justice,] by order amend, repeal or revoke any enactment to the extent he considers necessary or desirable in consequence of—
  - (a) section 1 or 2, or
  - (b) Civil Procedure Rules.
- (2) The Lord Chancellor may [<sup>F1</sup>, after consulting the Lord Chief Justice,] by order amend, repeal or revoke any enactment passed or made before the commencement of this section to the extent he considers necessary or desirable in order to facilitate the making of Civil Procedure Rules.
- (3) Any power to make an order under this section is exercisable by statutory instrument.
- (4) A statutory instrument containing an order under subsection (1) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) No order may be made under subsection (2) unless a draft of it has been laid before and approved by resolution of each House of Parliament.
- [<sup>F2</sup>(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) or (2).]

#### **Textual Amendments**

- F1** Words in s. 4(1)(2) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148(1), [Sch. 4 para. 267\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(v)
- F2** S. 4(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148(1), [Sch. 4 para. 267\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(v)

**Changes to legislation:**

Civil Procedure Act 1997, Section 4 is up to date with all changes known to be in force on or before 26 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(4) inserted by [2022 c. 35 Sch. 4 para. 2\(2\)](#)
- s. 3(3)(4) substituted by [2005 c. 4 Sch. 4 para. 265\(2\)](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(5) words substituted by [2005 c. 4 Sch. 4 para. 265\(3\)](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(6) words repealed by [2005 c. 4 Sch. 4 para. 265\(4\)Sch. 18 Pt. 2](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 paras. 11(v), 30(b), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(7) repealed by [2005 c. 4 Sch. 4 para. 265\(5\)Sch. 18 Pt. 2](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 paras. 11(v), 30(b), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 5(7) inserted by [2022 c. 35 Sch. 4 para. 2\(3\)](#)