



Courts Act 2003

2003 CHAPTER 39

PART 6

JUDGES

Flexibility in deployment of judicial resources

65 District Judges (Magistrates' Courts) as Crown Court judges etc.

- ^{F1}(1)
- (2) Schedule 4 contains amendments conferring functions on District Judges (Magistrates' Courts).
- (3) References in any enactment, instrument or other document to a district judge or deputy district judge do not include—
- (a) a District Judge (Magistrates' Courts), or
 - (b) a Deputy District Judge (Magistrates' Courts).

Textual Amendments

- F1** S. 65(1) repealed (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), [Sch. 5](#); S.I. 2012/669, art. 4(f)(i)

66 Judges having powers of District Judges (Magistrates' Courts)

- (1) Every holder of a judicial office specified in subsection (2) has the powers of a justice of the peace who is a District Judge (Magistrates' Courts) in relation to—
- (a) criminal causes and matters,^{F2} ...
 - ^{F2}(b)
- (2) The offices are—
- (a) judge of the High Court;

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- [^{F3}(aa) Master of the Rolls;
- (ab) ordinary judge of the Court of Appeal;
- (ac) Senior President of Tribunals;]
- (b) deputy judge of the High Court;
- (c) Circuit judge;
- (d) deputy Circuit judge;
- (e) recorder.
- [^{F4}(f) Chamber President, or Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal;
- (g) judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007;
- (h) transferred-in judge of the Upper Tribunal (see section 31(2) of that Act);
- (i) deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act);
- (j) office listed—
- (i) in the first column of the table in section 89(3C) of the Senior Courts Act 1981 (senior High Court Masters etc), or
- (ii) in column 1 of Part 2 of Schedule 2 to that Act (High Court Masters etc);
- (k) district judge (which, by virtue of section 8(1C) of the County Courts Act 1984, here includes deputy district judge appointed under section 8 of that Act);
- (l) deputy district judge appointed under section 102 of the Senior Courts Act 1981;
- (m) judge of the First-tier Tribunal by virtue of appointment under paragraph 1(1) of Schedule 2 to the Tribunals, Courts and Enforcement Act 2007;
- (n) transferred-in judge of the First-tier Tribunal (see section 31(2) of that Act);
- (o) member of a panel of Employment Judges established for England and Wales or for Scotland.]
- [^{F5}(2A) A qualifying judge advocate has the powers of a justice of the peace who is a District Judge (Magistrates' Courts) in relation to criminal causes and matters.]
- (3) For the purposes of section 45 of the 1933 Act, every holder of a judicial office specified in subsection (2) is qualified to sit as a member of a youth court.
- [^{F6}(4)]
- [^{F7}(5) In this section “ qualifying judge advocate ” means—
- (a) the Judge Advocate General; or
- (b) a person appointed under section 30(1)(a) or (b) of the Courts-Martial (Appeals) Act 1951 (assistants to the Judge Advocate General).
- (6) Subsection (2A) is without prejudice to the powers conferred by this section on a person within subsection (2) where that person is also a qualifying judge advocate.]
- [^{F8}(7) This section does not give a person any powers that a District Judge (Magistrates' Courts) may have to act in a court or tribunal that is not a magistrates' court.]

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Textual Amendments

- F2** S. 66(1)(b) and word in s. 66(1)(a) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 90\(a\)](#); S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** S. 66(2)(aa)-(ac) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 14 para. 4\(2\)](#); S.I. 2013/2200, art. 3(g)
- F4** S. 66(2)(f)-(o) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 14 para. 4\(3\)](#); S.I. 2013/2200, art. 3(g)
- F5** S. 66(2A) inserted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), [Sch. 2 para. 6\(a\)](#); S.I. 2012/669, art. 4(c)
- F6** S. 66(4) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 90\(b\)](#); S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F7** S. 66(5)(6) inserted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), [Sch. 2 para. 6\(b\)](#); S.I. 2012/669, art. 4(c)
- F8** S. 66(7) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 14 para. 4\(4\)](#); S.I. 2013/2200, art. 3(g)

Commencement Information

- I1** S. 66 partly in force; s. 66 not in force at Royal Assent see s. 110(1)(2); s. 66(1)(a)(2)(3) in force at 26.1.2004 by S.I. 2003/3345, [art. 2\(a\)\(iv\)](#)

67 Removal of restriction on Circuit judges sitting on certain appeals

Section 56A of the 1981 Act (Circuit judges not to sit on certain appeals) ceases to have effect.

Changes to legislation:

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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. 75(6) inserted by [2022 c. 35 Sch. 4 para. 3\(2\)](#)
- s. 76(2B) inserted by [2010 c. 26 Sch. 3 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 81(6) inserted by [2022 c. 35 Sch. 4 para. 3\(3\)](#)
- s. 85EA(5) words substituted by [2022 c. 32 Sch. 11 para. 29](#)
- Sch. 5 para. 13(1)(ca) inserted by [2013 c. 22 s. 26\(3\)](#)

Commencement Orders yet to be applied to the Courts Act 2003

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2005/547 art. 2](#) commences ([2003 c. 39](#))