



# Administration of Justice Act 1960

1960 CHAPTER 65 8 and 9 Eliz 2

*[<sup>F1</sup> Supplementary*

## Textual Amendments

**F1** Ss. 1–5 repealed (N.I.) with saving by [Judicature \(Northern Ireland\) Act 1978 \(c. 23\)](#), [Sch. 6 para. 13](#)

## 17 Interpretation.

[ In this Act any reference to the defendant shall be construed—

- <sup>F2</sup>(1) (a) in relation to proceedings for an offence, and in relation to an application for an order of mandamus, prohibition or certiorari in connection with such proceedings, as a reference to the person who was or would have been the defendant in those proceedings;
- (b) in relation to any proceedings or order for or in respect of contempt of court, as a reference to the person against whom the proceedings were brought or the order was made;
- (c) in relation to a criminal application for habeas corpus, as a reference to the person by or in respect of whom that application was made,

and any reference to the prosecutor shall be construed accordingly.]

- (2) In this Act “application for habeas corpus” means an application for a writ of habeas corpus ad subjiciendum and references to a criminal application or civil application shall be construed according as the application does or does not constitute a criminal cause or matter.

[ In this Act any reference to the court below shall, in relation to any function of a <sup>F2</sup>(3) Divisional Court, be construed as a reference to the Divisional Court or to a judge according as the function is by virtue of [<sup>F3</sup>rules of court][<sup>F3</sup>rules made under section seven of the <sup>M1</sup>Northern Ireland Act 1962] exercisable by the Divisional Court or a judge.

- (4) An appeal under section one of this Act shall be treated for the purposes of this Act as pending until any application for leave to appeal is disposed of and, if leave to appeal is

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granted, until the appeal is disposed of; and for the purposes of this Act an application for leave to appeal shall be treated as disposed of at the expiration of the time within which it may be made, if it is not made within that time.]

- (5) ..... <sup>F4</sup>
- (6) Any reference in this Act to any other enactment is a reference thereto as amended by or under any other enactment, including this Act.

**Textual Amendments**

**F2** Ss. 6 , 9 , 13 , 15 , 17(1)(3)(4) , 18(3) repealed (N.I.) with saving by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#) , [Sch. 6 para. 13](#) , [Sch. 7 Pt. I](#)

**F3** Words “rules” to “1962” substituted for words “rules of court” in application of s. 17(3) to N.I. by [Northern Ireland Act 1962 \(c. 30\)](#) , [Sch. 1 Pt. I](#)

**F4** S. 17(5) repealed by [Criminal Appeal Act 1966 \(c. 31\)](#) , [Sch. 3](#)

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**Marginal Citations**

**M1** 1962 c. 30 .

**18 Provisions as to Northern Ireland.**

- (1) ..... <sup>F5</sup>
- (2) ..... <sup>F6</sup>

[ An appeal shall lie to the House of Lords from any decision of the Court of Appeal in <sup>F7</sup>(3) Northern Ireland in proceedings begun by a civil application for habeas corpus in like manner and subject to the like conditions (including requirements as to leave to appeal) as an appeal from a decision of the Court of Appeal in England in such proceedings.]

- (4) This Act shall, in its application to Northern Ireland, have effect subject to the modifications set out in the Second Schedule to this Act; . . . <sup>F8</sup>

**Textual Amendments**

**F5** S. 18(1) repealed by [Criminal Appeal \(Northern Ireland\) Act 1968 \(c. 21\)](#) , [Sch. 5](#)

**F6** S. 18(2) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#) , [Sch. 6 Pt. I](#)

**F7** Ss. 6 , 9 , 13 , 15 , 17(1)(3)(4) , 18(3) repealed (N.I.) with saving by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#) , [Sch. 6 para. 13](#) , [Sch. 7 Pt. I](#)

**F8** Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#) , [Sch. 1 Pt. I](#)

**19 Minor and consequential amendments and repeals.**

- <sup>F9</sup>( 1 ) .....
- (2) ..... <sup>F10</sup>
- (3) The repeals effected by subsection (2) of this section in section four of the <sup>M2</sup> Geneva Conventions Act 1957 shall not affect the power of Her Majesty under subsection (2) of section eight of that Act to extend the provisions of that Act outside the United Kingdom.

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**Textual Amendments**

- F9** S. 19(1) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group1.  
**F10** S. 19(2) repealed by **Statute Law (Repeals) Act 1974 (c. 22)**, **Sch. Pt. XI**

**Marginal Citations**

- M2** 1957 c. 52 .

**20 Short title and extent.**

- (1) This Act may be cited as the Administration of Justice Act 1960.  
(2) .....<sup>F11</sup>, this Act shall not extend to Scotland.]

**Textual Amendments**

- F11** Words repealed by Courts- **Martial (Appeals) Act 1968 (c. 20)**, **Sch. 6**

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1960,  
Cross Heading: Supplementary.