

## SCHEDULE 1

Article 2(3)

### Provision consequential on the abolition of the Crown Court Rule Committee and transfer of the function of making Crown Court rules

#### **Senior Courts Act 1981 (c.54)**

1. The Senior Courts Act 1981 is amended as follows.
- 2.—(1) Section 84(1) (power to make rules of court) is amended as follows.
  - (2) In subsection (1), after “Rules of court may be made” insert “by the Lord Chief Justice”.
  - (3) In subsection (9)—
    - (a) after “Family Procedure Rule Committee” insert “or”;
    - (b) the words “, or the Crown Court Rule Committee” are repealed.
  - (4) After subsection (9), insert—

“(10) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise the Lord Chief Justice’s functions under this section.”
3. Section 86 (the Crown Court Rule Committee) is repealed.
- 4.—(1) Section 86A(2) (process for making rules of court under section 84) is amended as follows.
  - (2) In subsection (1), for the words after “must be” to the end substitute “submitted to the Lord Chancellor after being made by the Lord Chief Justice.”
  - (3) In subsection (3), for “Committee” substitute “Lord Chief Justice”.
- 5.—(1) Section 86B (rules to be made if required by Lord Chancellor) is amended as follows.
  - (2) In subsection (1), for “Crown Court Rule Committee” substitute “Lord Chief Justice”.
  - (3) In subsection (2)—
    - (a) for “Committee” substitute “Lord Chief Justice”;
    - (b) for “it” substitute “the Lord Chief Justice”.
  - (4) In subsection (3)(a), for “Committee” substitute “Lord Chief Justice”.
6. In section 151(3) (interpretation), in subsection (3), the words “or the Crown Court Rule Committee” are repealed.

#### **Courts and Legal Services Act 1990 (c.41)**

7. In Schedule 18 to the Courts and Legal Services Act 1990 (consequential amendments), in paragraph 36, sub-paragraph (2) is repealed.

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(1) Subsection (9) was amended by section 10 of and paragraph 1(4)(d) of Schedule 2 to the Civil Procedure Act 1997; by article 3 of and paragraphs 11 and 15(1) and (4) to [S.I. 2004/2035](#); and by section 59(5) of and paragraph 26(1) and (2) of Part 4 of Schedule 11 to the Constitutional Reform Act 2005.

(2) Sections 86A and 86B were inserted by section 15(1) of and paragraphs 114 and 138 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005.

(3) Subsection (3) was amended by section 10 of and paragraph 1(7)(a) of Schedule 2 to the Civil Procedure Act 1997; and by section 59(5) of and paragraph 26(1) and (2) of Part 4 of Schedule 11 to the Constitutional Reform Act 2005.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**Freedom of Information Act 2000 (c.36)**

8. In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices – general), the entry for the Crown Court Rule Committee is repealed.

**Constitutional Reform Act 2005 (c.4)**

9. In Part 1 of Schedule 4 to the Constitutional Reform Act 2005 (other functions of the Lord Chancellor and organisation of the courts), paragraph 137 is repealed.

**Legal Services Act 2007 (c.29)**

10. In Schedule 21 to the Legal Services Act 2007 (minor and consequential amendments), paragraph 46 is repealed.

SCHEDULE 2

Article 3(2)

Provision consequential on the abolition of the Magistrates' Courts Rule Committee

**Magistrates' Courts Act 1980 (c.43)**

1.—(1) Section 144(4) of the Magistrates' Courts Act 1980 (rule committee and rules of procedure) is amended as follows.

(2) In the side-note, the words “Rule committee and” are repealed.

(3) Subsection (A1) is repealed.

(4) In subsection (1), the words “on the advice of or after consultation with the rule committee, and” are repealed.

(5) In subsection (1A), the words “and the rules committee” are repealed.

(6) Subsections (2), (3) and (3A) are repealed.

**Courts and Legal Services Act 1990 (c.41)**

2. In Schedule 18 to the Courts and Legal Services Act 1990 (consequential amendments), in paragraph 25, sub-paragraph (7) is repealed.

**Freedom of Information Act 2000 (c.36)**

3. In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices – general), the entry for the Magistrates' Courts Rules Committee is repealed.

**Courts Act 2003 (c.39)**

4. The Courts Act 2003 is amended as follows.

5. In section 20(5) (rules), in subsection (2)—

(a) at the end of paragraph (a) insert “and”;

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(4) Relevant amendments to section 144 were made by section 15(1) of and paragraphs 99 and 102 of Part I of Schedule 4 to the Constitutional Reform Act 2005 (inserting subsections (A1), (1A) and (4A) and amending subsections (1) and (2)); and by section 208(1) of and paragraphs 42 and 43(b) of Schedule 21 to the Legal Services Act 2007 (inserting subsection (3A)).

(5) Section 20 was amended by section 15(1) of and paragraphs 308 and 321 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005.

- (b) paragraph (c), and the word “and” which precedes it, are repealed.
- 6. In section 28 (functions), in subsection (9)—
  - (a) at the end of paragraph (a) insert “and”;
  - (b) paragraph (c), and the word “and” which precedes it, are repealed.
- 7. In section 107 (interpretation), subsection (6) is repealed.
- 8. In Schedule 8 (minor and consequential amendments), in paragraph 245, sub-paragraph (4) is repealed.

**Constitutional Reform Act 2005 (c.4)**

- 9. In Part 1 of Schedule 4 to the Constitutional Reform Act 2005 (other functions of the Lord Chancellor and organisation of the courts), in paragraph 102, sub-paragraphs (2) and (5) are repealed.

**Legal Services Act 2007 (c.29)**

- 10. In Schedule 21 to the Legal Services Act 2007 (minor and consequential amendments), paragraph 43 is repealed.