



# Administration of Justice Act 1969

## 1969 CHAPTER 58

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

#### **21 Powers of court exercisable before commencement of action.**

- [<sup>F1</sup>(1) On the application of any person in accordance with rules of court, the High Court shall, in such circumstances as may be specified in the rules, have power to make an order providing for any one or more of the following matters, that is to say—
- (a) the inspection, photographing, preservation, custody and detention of property which appears to the court to be property which may become the subject-matter of subsequent proceedings in the court, or as to which any question may arise in any such proceedings, and
  - (b) the taking of samples of any such property as is mentioned in the preceding paragraph and the carrying out of any experiment on or with any such property.
- (2) The power to make rules of court under section 99 of the Judicature Act 1925 shall include power to make rules of court as to the manner in which an application for such an order can be made, and as to the circumstances in which such an order can be made; and any such rules may include such incidental, supplementary and consequential provisions as the authority making the rules may consider necessary or expedient.
- (3) The preceding provisions of this section shall have effect in relation to county courts in England and Wales as they have effect in relation to the High Court, as if in those provisions references to rules of court and to section 99 of the Judicature Act 1925 included references to county court rules and to section 102 of the <sup>M1</sup>County Courts Act 1959.]
- (4) In the application of this section to Northern Ireland, “the High Court” means the High Court of Justice in Northern Ireland, the reference in subsection (2) to section 99 of the Judicature Act 1925 shall be construed as a reference to [<sup>F2</sup>section 55 of the <sup>M2</sup>Judicature (Northern Ireland) Act 1978], and subsection (3) shall be omitted.

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*Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1969, Section 21. (See end of Document for details)*

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[<sup>F1</sup>(5) In this section “property” includes any land, chattel or other corporeal property of any description.]

#### **Textual Amendments**

- F1** S. 21(1)–(3)(5) repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), **Sch. 7**
- F2** Words substituted by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), s. 122(1), Sch. 5 Pt. II(1), **Sch. 6 para. 13**

#### **Modifications etc. (not altering text)**

- C1** S. 21 amended by [Administration of Justice Act 1970 \(c. 31\)](#), s. **35(2)(3)** ([Administration of Justice Act 1970 \(c.31, SIF 37\)](#)), s. **35** repealed so far as it relates to the High Court and county courts in England and Wales) by [Supreme Courts Act 1981 \(c.54, SIF 37\)](#), s. 152(4), **Sch. 7**)
- C2** S. 21 extended (*temp.* for a period of 12 months beginning with 22.3.1990: S.I. 1990/675; and for a further period of 12 months beginning with 22.3.1991: S.I. 1991/549, 779) by [Prevention of Terrorism \(Temporary Provisions\) Act 1989 \(c.4, SIF 39:2\)](#), s. 13(8), **Sch. 4 para. 29(6)**
- S. 21 extended (*prosp.*) by 2000 c. 11, ss. 23, 128, **Sch. 4 para. 43(6)(b)**
- C3** S. 21 extended (13.12.2001) by S.I. 2001/3927, **art. 26**

#### **Marginal Citations**

- M1** 1959 c. 22.
- M2** 1978 c. 23.

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1969, Section 21.