Stannaries Court (Abolition) Act 1896

1896 CHAPTER 45 59 and 60 Vict

An Act for abolishing the Court of the Vice-Warden of the Stannaries. [14th August 1896]

1 Abolition of Vice-Warden's Court.

(1) . . . [F1] the Court of the Vice-Warden of the Stannaries shall cease to exist . . . [F1] and . . . [F1] all jurisdiction and powers of the said court and its officers shall . . . . [F1] be transferred to and vested in such of the county courts as the Lord Chancellor may**[**[F2] , after consulting the Lord Chief Justice, **]** by order direct, [F3]...

[[F4](1A) The jurisdiction and powers transferred and vested under subsection (1), so far as immediately before the coming into force of this subsection they are vested in any of the county courts held under section 1 of the County Courts Act 1984, become jurisdiction and powers of the county court to be exercised subject to and in accordance with rules of court.**]**

(2) Provision may be made by order of the Lord Chancellor—

(a) for determining by, to, or before what officer, or in what office, may be done anything required to be done by, to, or before any officer or in any office of the said court of the Vice-Warden;

(b) . . . . . [F5]

(c) for determining the place of sitting for the exercise of any jurisdiction transferred by this Act;

(d) with respect to the use and disposal of any property which at the commencement of this Act is held for the use of the said court or of any officer of the said court, and of any room or building which at that date is appropriated for the use of the said court or of the Vice-Warden, officers, and suitors thereof; and

(e) with respect to the custody of any records which at that date are under the custody of the said court.

[[F6](3) 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 this section.**]**

Changes to legislation: *There are currently no known outstanding effects for the Stannaries Court (Abolition) Act 1896. (See end of Document for details)*

Textual Amendments

F1 Words repealed by Statute Law Revision Act 1908 (c. 49)

F2 Words in s. 1(1) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 17(2)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(c)

F3 Words in s. 1(1) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 18(2)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F4 S. 1(1A) inserted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 18(3)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F5 S. 1(2)(*b*) repealed by Statute Law Revision Act 1908 (c. 49)

F6 S. 1(3) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 17(3)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(c)

2 . . . . . **F7**

Textual Amendments

F7 S. 2 repealed by Statute Law Revision Act 1966 (c. 5)

3 **Explanation of references to Stannaries Court.**

References in any unrepealed enactment to mines subject to the jurisdiction of the Court of the Vice-Warden of the Stannaries, or within the cognizance of the said Vice Warden, shall be construed as applying to mines which would have been subject to the jurisdiction of the said court if it had not been abolished.

4 **Reference of certain disputes to arbitration.**

(1) In the event of any dispute arising between—

(a) any two or more mining companies; or

(b) any mining company and His Royal Highness the Prince of Wales and Duke of Cornwall, or any person having any estate or interest in the mine worked by or leased to that mining company;

a judge of **[**[F8]the county court**]** may, on the application of any party to the dispute, order that the matter in dispute be **[**[F9]referred to arbitration before himself or before an arbitrator agreed on by the parties or an officer of the court.**]**.

(2) For the purposes of this section the expression "mining company" shall mean any person or body of persons engaged in or formed for working mines within the stannaries.

Textual Amendments

F8 Words in s. 4(1) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 18(4)**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F9 Words in S. 4(1) substituted (31.1.1997) by virtue of 1996 c. 23 s. 107(1), Sch. 3, para. 2 (with s. 81(2)); S.I. 1996/3146, arts. 3, 4, **Sch. 2** (subject to transitional provisions in Sch. 2)

5, 6. . . . . F10

Textual Amendments

F10 Ss. 5, 6, Sch. repealed by Statute Law Revision Act 1908 (c. 49)

7 Short title.

This Act may be cited as the Stannaries Court (Abolition) Act 1896.

Changes to legislation: *There are currently no known outstanding effects for the Stannaries Court (Abolition) Act 1896. (See end of Document for details)*

[F11][F11]SCHEDULE

Textual Amendments

F11 Ss. 5, 6, Sch. repealed by Statute Law Revision Act 1908 (c. 49)

. . . . . [F11]

Changes to legislation:
There are currently no known outstanding effects for the Stannaries Court (Abolition) Act 1896.