

**Changes to legislation:** *Senior Courts Act 1981 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 1

#### DISTRIBUTION OF BUSINESS IN HIGH COURT

##### *Chancery Division*

- 1 To the Chancery Division are assigned all causes and matters relating to—
- (a) the sale, exchange or partition of land, or the raising of charges on land;
  - (b) the redemption or foreclosure of mortgages;
  - (c) the execution of trusts;
  - (d) the administration of the estates of deceased persons;
  - (e) bankruptcy;
  - (f) the dissolution of partnerships or the taking of partnership or other accounts;
  - (g) the rectification, setting aside or cancellation of deeds or other instruments in writing;
  - (h) probate business, other than non-contentious or common form business;
  - (i) patents, trade marks, registered designs [<sup>F1</sup>, copyright or design right];
  - (j) the appointment of a guardian of a minor's estate,
- and all causes and matters involving the exercise of the High Court's jurisdiction under the enactments relating to companies.

##### **Textual Amendments**

- F1** Words substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 30(1), **Sch. 7 para. 28(1)(3)**

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

- C1** [Sch. 1 para. 1](#) extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 2(3), **Sch. 2 Pt. 1 para. 1(2)(i)**
- C2** [Sch. 1 para. 1\(i\)](#) amended (31.10.1994) by [1994 c. 26, s. 106\(1\)](#), **Sch. 4 para. 1(2)**; S.I. 1994/2550, **art.2**

##### *Queen's Bench Division*

- 2 To the Queen's Bench Division are assigned—
- [<sup>F2</sup>(a) applications for writs of habeas corpus, except applications for a writ of habeas corpus for release relating to a minor;]
  - (b) applications for judicial review;
  - <sup>F3</sup>(ba) .....
  - [<sup>F4</sup>(bb) all financial restrictions proceedings within the meaning of Chapter 2 of Part 6 of the Counter-Terrorism Act 2008 (see section 65 of that Act);]
  - <sup>F5</sup>(bc) .....

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- [<sup>F6</sup>(bd) all TPIM proceedings (within the meaning of the Terrorism Prevention and Investigation Measures Act 2011);]
- [<sup>F7</sup>(be) all TEO proceedings (within the meaning given by paragraph 1 of Schedule 3 to the Counter-Terrorism and Security Act 2015 (proceedings relating to temporary exclusion orders));]
- [<sup>F8</sup>(bf) all proceedings—
  - (i) on an application under section 38 of the Sanctions and Anti-Money Laundering Act 2018 (court review of decisions), or
  - (ii) on a claim arising from any matter to which such an application relates;]
- [<sup>F9</sup>(bg) all relevant proceedings within the meaning of Part 2 of the National Security Act 2023 (prevention and investigation measures) (see section 62(1) of that Act);]
  - (c) all causes and matters involving the exercise of the High Court’s Admiralty jurisdiction or its jurisdiction as a prize court; and
  - (d) all causes and matters entered in the commercial list.

#### Textual Amendments

- F2** Sch. 1 para. 2(a) substituted (6.4.2015) by [The High Court \(Distribution of Business\) Order 2014 \(S.I. 2014/3257\)](#), arts. 1, **4(a)**
- F3** Sch. 1 para. 2(ba) omitted (15.12.2011) by virtue of [Terrorism Prevention and Investigation Measures Act 2011 \(c. 23\)](#), s. 31(2), **Sch. 7 para. 1(a)** (with Sch. 8)
- F4** Sch. 1 para. 2(bb) inserted (27.11.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), **ss. 71, 100**
- F5** Sch. 1 para. 2(bc) repealed (31.12.2020) by [Sanctions and Anti-Money Laundering Act 2018 \(c. 13\)](#), s. 64(2), **Sch. 3 para. 9** (with ss. 52(3), 53, 58); S.I. 2020/1535, reg. 3(e)
- F6** Sch. 1 para. 2(bd) inserted (15.12.2011) by [Terrorism Prevention and Investigation Measures Act 2011 \(c. 23\)](#), s. 31(2), **Sch. 7 para. 1(b)** (with Sch. 8)
- F7** Sch. 1 para. 2(be) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), **ss. 15(1), 52(5)**
- F8** Sch. 1 para. 2(bf) inserted (22.11.2018) by [Sanctions and Anti-Money Laundering Act 2018 \(c. 13\)](#), s. 64(2), **Sch. 3 para. 2** (with ss. 52(3), 53, 58); S.I. 2018/1213, reg. 2(f)
- F9** Sch. 1 para. 2(bg) inserted (20.12.2023) by [The National Security Act 2023 \(Consequential Amendments of Primary Legislation\) Regulations 2023 \(S.I. 2023/1386\)](#), reg. 1(2), **Sch. para. 5**

#### *Family Division*

- 3 To the Family Division are assigned—
  - (a) all matrimonial causes and matters (whether at first instance or on appeal);
  - [<sup>F10</sup>(aa) applications for a writ of habeas corpus for release relating to a minor;]
  - (b) all causes and matters (whether at first instance or on appeal) relating to—
    - (i) legitimacy;
    - [<sup>F11</sup>(ii) the exercise of the inherent jurisdiction of the High Court with respect to minors, the maintenance of minors and any proceedings under the Children Act 1989, except proceedings solely for the appointment of a guardian of a minor’s estate;]
    - (iii) <sup>F12</sup> . . . adoption;
    - (iv) non-contentious or common form probate business;
  - (c) applications for consent to the marriage of a minor [<sup>F13</sup>or for a declaration under section 27B(5) of the Marriage Act <sup>M1</sup> 1949];

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- <sup>F14</sup>(d) .....
- <sup>F15</sup>(e) applications under Part III of the Family Law Act 1986.]
- <sup>F15</sup>(e) proceedings under the Children Act 1989]
- <sup>F16</sup>(ea) proceedings under section 79 of the Childcare Act 2006;]
- <sup>F17</sup>(eb) proceedings under section 43 of the Children and Families (Wales) Measure 2010;]
- <sup>F18</sup>(ec) proceedings under Part 6 of the Social Services and Well-being (Wales) Act 2014;]
- <sup>F19</sup>(f) all proceedings under:—
  - (i) the <sup>F20</sup>Part IV <sup>F21</sup>or 4A] of the Family Law Act 1996];
  - (ii) the Child Abduction and Custody Act 1985
  - (iii) the Family Law Act 1986;
  - <sup>F22</sup>(iv) section 54 <sup>F23</sup>or 54A] of the Human Fertilisation and Embryology Act 2008;]
  - <sup>F24</sup>(v) .....
  - <sup>F25</sup>(vi) [ the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children that was signed at The Hague on 19 October 1996;]
- <sup>F26</sup>(fa) [ all proceedings relating to a debit or credit under section 29(1) or 49(1) of the Welfare Reform and Pensions Act 1999;]
- (g) all proceedings for the purpose of enforcing an order made in any proceedings of a type described in this paragraph.]
- <sup>F27</sup>(h) all proceedings under the Child Support Act 1991.]
- <sup>F28</sup>(ha) all proceedings under Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003;]
- <sup>F29</sup>(i) all proceedings under sections 6 and 8 of the Gender Recognition Act 2004.]
- <sup>F30</sup>(i) all civil partnership causes and matters (whether at first instance or on appeal);
  - (j) applications for consent to the formation of a civil partnership by a minor or for a declaration under paragraph 7 of Schedule 1 to the Civil Partnership Act 2004;
  - (k) applications under section 58 of that Act (declarations relating to civil partnerships).]
- <sup>F31</sup>(l) proceedings under Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters, so far as relating to the recognition and enforcement in England and Wales of a protection measure (within the meaning of that Regulation) ordered in a <sup>F32</sup>participating Member State (within the meaning of that Regulation)].]

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#### Textual Amendments

**F10** Sch. 1 para. 3(aa) inserted (6.4.2015) by [The High Court \(Distribution of Business\) Order 2014 \(S.I. 2014/3257\)](#), arts. 1, **4(b)**

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- F11** Sch. 1 para. 3(b)(ii) substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5)(6), Sch. 13 para. 45(3) (with **Sch. 14 para. 1(1)**); S.I. 1991/828, **art. 3(2)**
- F12** Words repealed by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(2)(4), Sch. 3 paras. 1, 6, **Sch. 4**
- F13** Words inserted by Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16, SIF 49:1), **s. 5**
- F14** Sch. 1 para. 3(d) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 63**; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F15** Sch. 1 para. 3(e) commencing “applications under” added by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(1), **Sch. 1 para. 26** and Sch. 1 para. 3(e) commencing “proceedings under” added (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 92, 108(6), Sch. 11 Pt. II para. 9 (with **Sch. 14 para. 1(1)**); S.I. 1991/828, **art. 3(2)**
- F16** Sch. 1 para. 3(ea) inserted (6.4.2007) by Childcare Act 2006 (c. 21), ss. 103(1), 109, **Sch. 2 para. 3**; S.I. 2007/1019, **art. 4**
- F17** Sch. 1 para. 3(eb) inserted (1.4.2011) by Children and Families (Wales) Measure 2010 (nawm 1), s. 75(3), **Sch. 1 para. 4**; S.I. 2010/2582, art. 2, Sch. 1 (with Sch. 2Sch. 3)
- F18** Sch. 1 para. 3(ec) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **34**
- F19** Sch. 1 para. 3(f)(g) added (14.10.1991) by S.I. 1991/1210, art. 3, **Sch**
- F20** Words in Sch. 1 para. 3(f)(i) substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 51(b)**; S.I. 1997/1892, **art. 3(1)(b)**
- F21** Words in Sch. 1 para. 3(f)(i) inserted (25.11.2008) by Forced Marriage (Civil Protection) Act 2007 (c. 20), ss. 3(1), 4(2)(4), **Sch. 2 para. 1**; S.I. 2008/2779, **art. 2(c)**
- F22** Sch. 1 para. 3(f)(iv) substituted (6.4.2010) by Human Fertilisation and Embryology Act 2008 (c. 22), s. 68(2), **Sch. 6 para. 21**; S.I. 2010/987, art. 2(g)
- F23** Words in Sch. 1 para. 3(f)(iv) inserted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 1 para. 1**
- F24** Sch. 1 para. 3(f)(v) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 11** (with reg. 8 (as amended by S.I. 2020/1574, regs. 1, **5(2)**)); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Sch. 1 para. 3(f)(vi) inserted (1.11.2012) by The Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010 (S.I. 2010/1898), reg. 1(2), **Sch. para. 2**
- F26** Sch. 1 para. 3(fa) inserted (1.12.2000) by 1999 c. 30, s. 84, **Sch. 12 para. 1**; S.I. 2000/1116, **art. 2(b)(f)**
- F27** Sch. 1 para. 3(h) inserted (5.4.1993) by S.I. 1993/622, **art. 3**
- F28** Sch. 1 para. 3(ha) inserted (17.7.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), **Sch. 4 para. 5**; S.I. 2015/1428, reg. 2(c)(i)
- F29** Sch. 1 para. 3(i) inserted (21.1.2005) by The High Court (Distribution of Business) Order 2004 (S.I. 2004/3418), **art. 3**
- F30** Sch. 1 para. 3(i)-(k) inserted (15.4.2005 for specified purposes and otherwise prosp.) by virtue of Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 70**; S.I. 2005/1112, **art. 2**, Sch. 1
- F31** Sch. 1 para. 3(l) inserted (11.1.2015) by The Civil Jurisdiction and Judgments (Protection Measures) Regulations 2014 (S.I. 2014/3298), regs. 1(4), **3(3)**
- F32** Words in Sch. 1 para. 3(l) substituted (31.12.2020) by The Mutual Recognition of Protection Measures in Civil Matters (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/493), regs. 1(1), **2** (with reg. 1A (as inserted by S.I. 2020/1493, regs. 1(1), **6(2)**)); 2020 c. 1, Sch. 5 para. 1(1)

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

- C3** Sch. 1 para. 3 modified (6.4.2010) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2010 (S.I. 2010/985), regs. 1(1), 5, **Sch. 4**
- C4** Sch. 1 para. 3 modified (21.12.2018) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 (S.I. 2018/1412), reg. 1(2), **Sch. 4 para. 11**

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### Marginal Citations

M1 1949 c.76(49:1).

## [<sup>F33</sup>SCHEDULE 2

Sections 88 to 95

### LIST OF OFFICES IN SENIOR COURTS FOR PURPOSES OF PART 4

### Textual Amendments

**F33** Sch. 2 substituted (21.7.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 50, 148, Sch. 10 para. 13(3)-(5); S.I. 2008/1653, art. 2(d) (with arts. 3, 4)

### PART 1

<i>Office</i>	<i>Persons qualified</i>
Official Solicitor	A person who has a 10 year general qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990).

### PART 2

<i>Office</i>	<i>Persons qualified</i>
Master, Queen's Bench Division	A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.
Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals	A person who satisfies the judicial-appointment eligibility condition on a 7-year basis.
Admiralty Registrar	A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.
Master, Chancery Division	A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.
[ <sup>F34</sup> Insolvency and Companies Court Judge]	A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.
Taxing Master of the Senior Courts	A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.

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District judge of the principal registry of the Family Division	<ol style="list-style-type: none"> <li>1. A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.</li> <li>2. A district probate registrar who either—             <ol style="list-style-type: none"> <li>(a) is of at least 5 years' standing, or</li> <li>(b) has, during so much of the 5 years immediately preceding his appointment as he has not been a district probate registrar, served as a civil servant in the principal registry or a district probate registry.</li> </ol> </li> <li>3. A civil servant who has served at least 7 years in the principal registry or a district probate registry.</li> </ol>
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#### Textual Amendments

**F34** Words in Sch. 2 table substituted (26.2.2018) by [The Alteration of Judicial Titles \(Registrar in Bankruptcy of the High Court\) Order 2018 \(S.I. 2018/130\)](#), art. 1, **Sch. para. 6(b)**

### PART 3

<i>Office</i>	<i>Persons qualified</i>
District probate registrar	<ol style="list-style-type: none"> <li>1. A person who satisfies the judicial-appointment eligibility condition on a 5-year basis.</li> <li>2. A civil servant who has served at least 5 years in the principal registry of the Family Division or a district probate registry.]</li> </ol>

### <sup>F35</sup>SCHEDULE 3

#### Textual Amendments

**F35** Sch. 3 repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**

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## SCHEDULE 4

### CONSTRUCTION OF REFERENCES TO SUPERSEDED COURTS AND OFFICERS

#### *General*

- 1 (1) So much of any enactment as refers or relates to any former court or judge whose jurisdiction is vested in the Court of Appeal or the High Court shall be construed and have effect as if any reference to that court or judge were a reference to the Court of Appeal or the High Court, as the case may be.
- (2) All Acts, charters and other instruments which refer to Westminster as the locality of any former court, being a court whose jurisdiction is vested in the Court of Appeal or the High Court, shall be construed as referring instead to the Royal Courts of Justice and other places at which the Court of Appeal or the High Court sits.

#### *The Accountants-General of the Courts of Chancery and Exchequer*

- 2 Any enactment or document referring to the Accountant-General of the Court of Chancery or Court of Exchequer shall be read as referring instead to the Accountant General of the [<sup>F36</sup>Senior Courts].

#### **Textual Amendments**

**F36** Words in Sch. 4 para. 2 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 26\(1\)](#); [S.I. 2009/1604, art. 2\(d\)](#)

#### *The Court of Criminal Appeal and its registrar*

- 3 In any enactment or document passed or made before 1st October 1966—
  - (a) any reference to the Court of Criminal Appeal (except where it occurs in a reference to the registrar of that court) shall, subject to rules of court made in pursuance of section 53(1), be read as a reference to the criminal division of the Court of Appeal;
  - (b) any reference to the registrar of the Court of Criminal Appeal shall be read as a reference to the registrar of criminal appeals; and
  - (c) any reference to the Court of Appeal shall, subject to rules of court made in pursuance of section 53(1), be read as a reference to the civil division of the Court of Appeal.

#### *Principal registrar of Family Division*

- 4 In any enactment or document passed or made before the commencement of this Act any reference to the principal registrar of the Family Division shall be read as a reference to the Senior Registrar of that Division.

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<sup>X1</sup>SCHEDULE 5

Section 152(1).

CONSEQUENTIAL AMENDMENTS

**Editorial Information**

**X1** The text of s. 152(1)(4)(5), Sch. 5 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

*COLONIAL PROBATES ACT 1892 (c. 6)*

In section 2(1), for “156A of the <sup>M2</sup>Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 109 of the Supreme Court Act 1981 ”.

**Marginal Citations**

**M2** 1925 c. 49.

**Marginal Citations**

**M2** 1925 c. 49.

F37

**Textual Amendments**

**F37** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3(1), 5(2), **Sch. Pt I**. Sch. 4

**Textual Amendments**

**F37** Entry repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3(1), 5(2), **Sch. Pt I**. Sch. 4

F38

**Textual Amendments**

**F38** Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I** and also expressed to be repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235(2)(3), **Sch. 10 Pt. III**

**Textual Amendments**

**F38** Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), s. 75(1), **Sch. 9 Pt. I** and also expressed to be repealed by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 235(2)(3), **Sch. 10 Pt. III**



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*ADMINISTRATION OF ESTATES ACT 1925 (c. 23)*

In section 47A(7) (notices to principal registrar of Family Division)—

- (a) for “principal registrar” substitute “ Senior Registrar ”; and
- (b) for the words from “made under” onwards substitute “ of court made under section 127 of the Supreme Court Act 1981 ”.

*LAW OF PROPERTY (AMENDMENT) ACT 1926 (c. 11)*

In section 3(1), “for <sup>M3</sup>Supreme Court of Judicature (Consolidation) Act 1925” substitute “ Supreme Court Act 1981 ”.

**Marginal Citations**

**M3** 1925 c. 49.

**Marginal Citations**

**M3** 1925 c. 49.

*FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) ACT 1933 (c. 13)*

1 <sup>F39</sup> .....

**Textual Amendments**

**F39** Sch. 5: para. 1 of entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, [Sch. 10](#); [S.I. 2005/910](#), [art. 3\(aa\)\(bb\)](#)

<sup>F40</sup>2 .....

**Textual Amendments**

**F40** Sch. 5: para. 2 of the entry relating to the amendment of Foreign Judgments (Reciprocal Enforcement) Act 1933 repealed by [Civil Jurisdiction and Judgments Act 1982 \(c.27, SIF 45:3\)](#), s. 54, [Sch. 14](#)

*ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1933 (c. 36)*

Section 2(2)(b) shall continue to have effect with the amendments made by the <sup>M4</sup>Criminal Appeal Act 1964 and the <sup>M5</sup>Criminal Appeal Act 1966, that is with the insertion after “preferred” of “by the direction of the criminal division of the Court of Appeal”.

**Marginal Citations**

**M4** 1964 c. 43.

**M5** 1966 c. 31.

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**Marginal Citations**

**M4** 1964 c. 43.

**M5** 1966 c. 31.

F41

**Textual Amendments**

**F41** Entry repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), **Sch. 16 Pt. XI**

**Textual Amendments**

**F41** Entry repealed by [Finance Act 1987 \(c. 16, SIF 99:6\)](#), s. 72(7), **Sch. 16 Pt. XI**

F42

**Textual Amendments**

**F42** Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), **s. 75(1) Sch. 9 Pt. I** and also expressed to be repealed by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 29, **Sch. 1**

**Textual Amendments**

**F42** Entry repealed by [Administration of Justice Act 1982 \(c. 53, SIF 37\)](#), **s. 75(1) Sch. 9 Pt. I** and also expressed to be repealed by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 29, **Sch. 1**

*CRIMINAL JUSTICE ACT 1948 (c. 58)*

F43

**Textual Amendments**

**F43** Sch. 5: entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910, **art. 3(aa)(bb)**

**Textual Amendments**

**F43** Sch. 5: entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910, **art. 3(aa)(bb)**

*CONSULAR CONVENTIONS ACT 1949 (c. 29)*

In section 1(4)—

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- (a) for “(1) of section one hundred and sixty of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ (2) of section 114 of the Supreme Court Act 1981 ”;
- (b) after “must” insert “ in general ”; and
- (c) for “(2) of the said section one hundred and sixty” substitute “ (4) of that section ”.

*ARBITRATION ACT 1950 (c. 27)*

In section 38(3), for “ninety-nine of the <sup>M6</sup>Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

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**Marginal Citations**

**M6** 1925 c. 49.

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**Marginal Citations**

**M6** 1925 c. 49.

*ARMY ACT 1955 (c. 18)*

[<sup>F44</sup>Section 110(1) shall continue to have effect with the amendments made by Part II of Schedule I to the <sup>M7</sup>Criminal Appeal Act 1966, that is—

- (a) with the substitution of “is under all the circumstances of the case unsafe or unsatisfactory” for the words from “ is unreasonable ” to “ evidence ”;
- (b) with the substitution of “there was a material irregularity in the course of the trial” for “ on any ground there was a miscarriage of justice ”; and
- (c) with the addition at the end of the following proviso—

“Provided that the confirming officer may, notwithstanding that he is of opinion that he would apart from this proviso withhold confirmation of the finding, confirm the finding if he considers that no miscarriage of justice has actually occurred.”.]

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**Textual Amendments**

**F44** Entry in Sch. 5 relating to the Army Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3**; S.I. 1995/3061, **art. 3(i)(vi)** (with savings in **art. 4(b)**)

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**Marginal Citations**

**M7** 1966 c. 31.

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**Textual Amendments**

**F44** Entry in Sch. 5 relating to the Army Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3**; S.I. 1995/3061, **art. 3(i)(vi)** (with savings in **art. 4(b)**)

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**Marginal Citations**

**M7** 1966 c. 31.

*Changes to legislation: Senior Courts Act 1981 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

*AIR FORCE ACT 1955 (c. 19)*

[<sup>F45</sup>Section 110(1) shall continue to have effect with the amendments made by Part II of Schedule 1 to the Criminal Appeal Act 1966, that is with the same amendments as are specified in the entry in this Schedule relating to the <sup>M8</sup>Army Act 1955.]

**Textual Amendments**

**F45** Entry in Sch. 5 relating to the Air Force Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3 S.I.** 1995/3061, art.3(i)(vi)

**Marginal Citations**

**M8** 1955 c. 18.

**Textual Amendments**

**F45** Entry in Sch. 5 relating to the Air Force Act 1955 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3 S.I.** 1995/3061, art.3(i)(vi)

**Marginal Citations**

**M8** 1955 c. 18.

F46

**Textual Amendments**

**F46** Entry repealed by **Medical Act 1983 (c. 54, SIF 83:1), s. 36(2)(3), Sch. 7 Pt. I**

**Textual Amendments**

**F46** Entry repealed by **Medical Act 1983 (c. 54, SIF 83:1), s. 36(2)(3), Sch. 7 Pt. I**

F47

**Textual Amendments**

**F47** Entry repealed by **Dentists Act 1983 (c. 38, SIF 83:1), s. 33(2), Sch. 3**

**Textual Amendments**

**F47** Entry repealed by **Dentists Act 1983 (c. 38, SIF 83:1), s. 33(2), Sch. 3**

F48

**Textual Amendments**

**F48** Entry repealed by **Opticians Act 1989 (c. 44, SIF 83:1), s. 37, Sch. 2**

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**Changes to legislation:** *Senior Courts Act 1981 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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**Textual Amendments**

**F48** Entry repealed by [Opticians Act 1989 \(c. 44, SIF 83:1\)](#), s. 37, **Sch. 2**

F49  
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**Textual Amendments**

**F49** Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

.....

**Textual Amendments**

**F49** Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

*PROFESSIONS SUPPLEMENTARY TO MEDICINE ACT 1960 (c. 66)*

In paragraph 2(2) of Schedule 2, for “forty-nine of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

*NURSES (AMENDMENT) ACT 1961 (c. 14)*

F50  
.....

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**Textual Amendments**

**F50** Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(1), {Sch. 1 Pt. 1 Group 4}

*RIVERS (PREVENTION OF POLLUTION) ACT 1961 (c. 50)*

F51  
.....

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**Textual Amendments**

**F51** Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(1), {Sch. 1 Pt. 1 Group 4}

*PUBLIC HEALTH ACT 1961 (c. 64)*

F52  
.....

.....

**Textual Amendments**

**F52** Schedule 5: Entry relating to Public Health Act 1961 repealed (1. 12. 1991) by Water Consolidation (Consequential Provisions) Act 1991 c. 60, ss. 3(1), 4(2), **Sch. 3 Pt.I**

**Changes to legislation:** *Senior Courts Act 1981 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F52** Schedule 5: Entry relating to Public Health Act 1961 repealed (1. 12. 1991) by Water Consolidation (Consequential Provisions) Act 1991 c. 60, ss. 3(1), 4(2), **Sch. 3 Pt.I**

*ADMINISTRATION OF JUSTICE ACT 1964 (c. 42)*

F53 .....

**Textual Amendments**

**F53** Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 4}

*ADMINISTRATION OF JUSTICE ACT 1965 (c. 2)*

1 F54 .....

**Textual Amendments**

**F54** Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 4}

2 F55 .....

**Textual Amendments**

**F55** Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 4}

3 F56 .....

**Textual Amendments**

**F56** Sch. 5: entry repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 4}

*VETERINARY SURGEONS ACT 1966 (c. 36)*

In paragraph 4(2) of Schedule 2, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

*ARBITRATION (INTERNATIONAL INVESTMENT DISPUTES) ACT 1966 (c. 41)*

In sections 1(6) and 2(2), for “99 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

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### MATRIMONIAL CAUSES ACT 1967 (c. 56)

F57

#### Textual Amendments

**F57** Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 1 Group 4}

### CRIMINAL APPEAL ACT 1968 (c. 19)

1 In section 33 (right of appeal to House of Lords from decision of criminal division of Court of Appeal), after subsection (2) insert—

“(3) Except as provided by this Part of this Act and section 13 of the Administration of Justice Act 1960 (appeal in cases of contempt of court), no appeal shall lie from any decision of the criminal division of the Court of Appeal.”.

2 For subsection (1) of, and the side-note to, section 45 (jurisdiction of Court of Appeal, and construction of certain references in Parts I and II) substitute—

#### “45 Construction of references in Parts I and II to Court of Appeal and a single judge.

(1) References in Parts I and 11 of this Act to the Court of Appeal shall be construed as references to the criminal division of the Court.”

3 In Schedule 2 (provisions applicable on order for retrial), paragraph 2(4) shall have effect, and be deemed always to have had effect, as if for “Section 17(2) of the <sup>M9</sup>Criminal Justice Administration Act 1962” there were substituted “ Section 67 of the <sup>M10</sup>Criminal Justice Act 1967 ”.

#### Marginal Citations

**M9** 1962 c. 15.

**M10** 1967 c. 80.

### HEARING AID COUNCIL ACT 1968 (c. 50)

F58

#### Marginal Citations

**M11** 1925 c. 49.

#### Textual Amendments

**F58** Sch. 5 entry repealed (1.4.2010) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 15 Pt. 2; S.I. 2010/708, art. 4\(2\)\(d\)](#)

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**Marginal Citations**

M11 1925 c. 49.

*HOVERCRAFT ACT 1968 (c. 59)*

- 1 In section 1(1)(h)(i) (power to apply to hovercraft etc. enactments about ships etc.), for “Act” substitute “ Act, or an enactment contained in sections 20 to 24 of the Supreme Court Act 1981) ”.
- 2 (1) Section 2 (Admiralty jurisdiction etc.) shall be amended as follows.
  - (2) In subsection (1)—
    - (a) for “Parts I and V” substitute “ Part V ”; and
    - (b) for the words from “the reference in section 4(1)” to “the said Schedule 1)” substitute “ the reference in paragraph 4(1) of the said Part I and the second reference in paragraph 8(1) of that Part) ”.
  - (3) After subsection (3) insert—
    - “(3A) Subsection (3) of this section shall have effect as if the reference to the enactments mentioned in subsection (1) as extended by that subsection included a reference to sections 20 to 24 of the Supreme Court Act 1981.”.

F59

**Textual Amendments**

F59 Entry repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**

**Textual Amendments**

F59 Entry repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), **Sch. 4**

F60

**Textual Amendments**

F60 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

**Textual Amendments**

F60 Entry repealed by [Mental Health \(Amendment\) Act 1982 \(c. 51, SIF 85\)](#), s. 65(2), **Sch. 4 Pt. I**

*ADMINISTRATION OF ESTATES ACT 1971 (c. 25)*

- 1 (1) Section 11 (sealing of Commonwealth and Colonial grants) shall be amended as follows.
  - (2) In subsection (3)—



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- (a) for “167 of the <sup>M12</sup>Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 120 of the Supreme Court Act 1981 ”; and
  - (b) omit “and orders”.
- (3) In subsection (8), for the definition of “probate rules and orders” substitute—  
““probate rules” means rules of court made under section 127 of the Supreme Court Act 1981.”.

**Marginal Citations**

**M12** 1925 c. 49.

2 In section 14(3), for “8” substitute “ 9 ”.

*MISUSE OF DRUGS ACT 1971 (c. 38)*

In paragraph 5(2) of Schedule 3, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

*MERCHANT SHIPPING (OIL POLLUTION) ACT 1971 (c. 59)*

F61 .....

**Textual Amendments**

**F61** Entry in Sch. 5 relating to Merchant Shipping (Oil Pollution) Act 1971 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch.12** (with s. 312(1), Sch. 14 para. 1)

**Textual Amendments**

**F61** Entry in Sch. 5 relating to Merchant Shipping (Oil Pollution) Act 1971 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch.12** (with s. 312(1), Sch. 14 para. 1)

*TRIBUNALS AND INQUIRIES ACT 1971 (c. 62)*

F62 .....

**Textual Amendments**

**F62** Entry in Sch. 5 repealed (1. 10. 1992) by **Tribunals and Inquiries Act 1992 (c. 53)**, ss. 18(2), 19(2), **Sch. 4 Pt.I**.

**Textual Amendments**

**F62** Entry in Sch. 5 repealed (1. 10. 1992) by **Tribunals and Inquiries Act 1992 (c. 53)**, ss. 18(2), 19(2), **Sch. 4 Pt.I**.

F63 .....

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*Changes to legislation: Senior Courts Act 1981 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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**Textual Amendments**

**F63** Entry repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, Sch. 1 Pt. I, **Sch. 3**

**Textual Amendments**

**F63** Entry repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, Sch. 1 Pt. I, **Sch. 3**

*LAND CHARGES ACT 1972 (c. 61)*

In section 6(4) (effect of non-registration of writs and orders registrable under section 6), for “section 36(3) of the Administration of Justice Act 1956” substitute “ section 37(5) of the Supreme Court Act 1981 ”.

*HEALTH AND SAFETY AT WORK ETC. ACT 1974 (c. 37)*

F64

**Textual Amendments**

**F64** Sch. 5: entry repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. **1(1)**, {Sch. 1 Pt. 1 Group 4}

F65

**Textual Amendments**

**F65** Entry repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193, Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

**Textual Amendments**

**F65** Entry repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193, Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

*MERCHANT SHIPPING ACT 1974 (c. 43)*

F66

**Textual Amendments**

**F66** Entry in Sch. 5 relating to [Merchant Shipping Act 1974 \(c. 43\)](#) repealed (1.1.1996) by [1995 c. 21](#), ss. 314(1), 316(2), **Sch.12** (with s. 312(1), Sch. 14 para. 1)

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### Textual Amendments

**F66** Entry in Sch. 5 relating to [Merchant Shipping Act 1974 \(c. 43\)](#) repealed (1.1.1996) by [1995 c. 21, ss. 314\(1\), 316\(2\), Sch.12](#) (with [s. 312\(1\), Sch. 14 para. 1](#))

### *SOLICITORS ACT 1974 (c. 47)*

- 1 In section 19(2), for “120 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 94 of the Supreme Court Act 1981 ”.
- 2 After section 81 insert—

#### **“81A Fees for administering oaths and taking affidavits.**

- (1) The Lord Chancellor may, with the concurrence of the Lord Chief Justice and the Master of the Rolls, by order prescribe the fees to be charged by—
- (a) commissioners for oaths; and
  - (b) solicitors exercising the powers of commissioners for oaths by virtue of section 81,
- in respect of the administration of an oath or the taking of an affidavit.
- (2) Any order under this section shall be made by statutory instrument, which shall be laid before Parliament after being made.
- (3) In this section “affidavit” has the same meaning as in the Commissioners for Oaths Act 1889.”.

### *HOUSE OF COMMONS DISQUALIFICATION ACT 1975 (c. 24)*

In Part III of Schedule 1, in the entry beginning “Officer of the Supreme Court”, for the words from “within” onwards substitute “ being the holder of any office listed in any Part of Schedule 2 to the Supreme Court Act 1981 or a district registrar, or assistant district registrar, of the High Court ”.

### *NORTHERN IRELAND ASSEMBLY DISQUALIFICATION ACT 1975 (c. 25)*

Part 111 of Schedule 1 shall have effect with the same amendment as is specified in the entry in this Schedule relating to the <sup>M13</sup>House of Commons Disqualification Act 1975.

### Marginal Citations

**M13** [1975 c. 24.](#)

### Marginal Citations

**M13** [1975 c. 24.](#)

### *EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS) ACT 1975 (c. 34)*

- 1 In section 4 (extension of powers of High Court etc. in relation to obtaining evidence for proceedings in that court) for the words from the beginning to “shall” substitute

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“ The <sup>M14</sup> Attendance of Witnesses Act 1854 (which enables the Court of Session to order the issue of a warrant of citation in special form, enforceable throughout the United Kingdom, for the attendance of a witness at a trial) shall ”.

#### Marginal Citations

**M14** 1854 c. 34.

2

F67

#### Textual Amendments

**F67** Sch. 5: para. 2 of entry repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, **Sch. 10**; [S.I. 2005/910](#), **art. 3(aa)(bb)**

#### *FARRIERS (REGISTRATION) ACT 1975 (c. 35)*

In paragraph 4(2) of Schedule 3, for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

#### *TORTS (INTERFERENCE WITH GOODS) ACT 1977 (c. 32)*

F68  
...

#### Textual Amendments

**F68** Words in Sch. 5 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 141**; [S.I. 2014/954](#), **art. 2(c)** (with **art. 3**) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

#### Textual Amendments

**F68** Words in Sch. 5 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 141**; [S.I. 2014/954](#), **art. 2(c)** (with **art. 3**) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

#### *INSURANCE BROKERS (REGISTRATION) ACT 1977 (c. 46)*

In section 19(2), for “49 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 36 of the Supreme Court Act 1981 ”.

F69  
.....

#### Textual Amendments

**F69** Entry repealed by [Medical Act 1983 \(c. 54, SIF 83:1\)](#), s. 36(2)(3), **Sch. 7 Pt. I**

#### Textual Amendments

**F69** Entry repealed by [Medical Act 1983 \(c. 54, SIF 83:1\)](#), s. 36(2)(3), **Sch. 7 Pt. I**

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*EMPLOYMENT PROTECTION (CONSOLIDATION) ACT 1978 (c. 44)*

F70 .....

**Textual Amendments**

**F70** Entry in Sch. 5 relating to the Employment Protection (Consolidation) Act 1978 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt.1** (with s. 38)

**Textual Amendments**

**F70** Entry in Sch. 5 relating to the Employment Protection (Consolidation) Act 1978 repealed (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt.1** (with s. 38)

*ARBITRATION ACT 1979 (c. 42)*

F71 .....

**Textual Amendments**

**F71** Sch. 5: entry repealed (22.7.2004) by **Statute Law (Repeals) Act 2004 (c. 14), s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

*CHARGING ORDERS ACT 1979 (c. 53)*

In section 5(2), for “99 of the Supreme Court of Judicature (Consolidation) Act 1925” substitute “ 84 of the Supreme Court Act 1981 ”.

*MAGISTRATES’ COURTS ACT 1980 (c. 43)*

1 After section 43 insert—

**“43A Functions of magistrates’ court where a person in custody is brought before it with a view to his appearance before the Crown Court.**

- (1) Where a person in custody in pursuance of a warrant issued by the Crown Court with a view to his appearance before the Crown Court is brought before a magistrates’ court in pursuance of section 81(5) of the Supreme Court Act 1981—
  - (a) the magistrates’ court shall commit him in custody or release him on bail until he can be brought or appear before the Crown Court at the time and place appointed by the Crown Court;
  - (b) if the warrant is endorsed for bail, but the person in custody is unable to satisfy the conditions endorsed, the magistrates’ court may vary those conditions, if satisfied that it is proper to do so.
- (2) A magistrates’ court shall have jurisdiction under subsection (1) whether or not the offence was committed, or the arrest was made, within the court’s area.”.

2 In section 87(2) for “penalty” substitute “ sum ”.

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F72 .....

**Textual Amendments**  
F72 Entry repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), ss. 274, 277, Schs. 7, 9

**Textual Amendments**  
F72 Entry repealed by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), ss. 274, 277, Schs. 7, 9

*JUDICIAL PENSIONS ACT 1981 (c. 20)*

1 For subsection (2) of section 34 (county court registrars and assistant registrars) substitute—

“(2) Nothing in this Act shall apply to a part-time registrar or part-time assistant registrar within the meaning of subsection (3) of section 22 of the County Courts Act 1959 (restrictions on practice).”.

2 Schedule 1 (pensions, etc. of certain judicial officers) shall be amended as follows—

(a) in paragraph 1, for the list of Supreme Court officers (namely that beginning with “Master and Assistant Master of the Supreme Court, Queen’s Bench Division” and ending with “Registrar, and Assistant Registrar, of Criminal Appeals”) substitute—

“Master, Queen’s Bench Division.

Queen’s coroner and attorney and Master of the Crown Office.

Admiralty Registrar.

Master, Chancery Division.

Registrar in Bankruptcy of the High Court.

Taxing Master of the Supreme Court.

Registrar, Principal Registry of the Family Division.

Registrar of criminal appeals.

Registrar of civil appeals.

Master of the Court of Protection.”; and

(b) in paragraph 4—

(i) in sub-paragraph (1)(a), for “the prescribed number of years of” substitute “ 15 years ”, and

(ii) omit sub-paragraph (2).

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SCHEDULE 6

Section 152(3).

TRANSITIONAL PROVISIONS AND SAVINGS

F73<sup>1</sup> .....

**Textual Amendments**

**F73** Sch. 6 paras. 1, 2(2), 3, 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

*Continuity of appointments of officers*

2 (1) Any person holding an office immediately before the commencement of this Act in the case of which provision for appointment is made by Part IV shall continue to hold that office as if he had been appointed under that Part (whether or not he is qualified to be so appointed).

F74<sup>(2)</sup> .....

**Textual Amendments**

**F74** Sch. 6 paras. 1, 2(2), 3, 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

*Tenure, etc. of certain officers*

F75<sup>3</sup> .....

**Textual Amendments**

**F75** Sch. 6 paras. 1, 2(2), 3, 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

F76<sup>4</sup> .....

**Textual Amendments**

**F76** Sch. 6 para. 4 repealed by Mental Health Act 1983 (c. 43), s. 148(3), **Sch. 6**

5 This Act, so far as it amends or repeals any provision of Schedule 1 to the<sup>M15</sup> Judicial Pensions Act 1981, shall not have effect in relation to any person who was within paragraph 1 of that Schedule immediately before the commencement of this Act and either was then holding office or had previously retired or died.

**Marginal Citations**

**M15** 1981 c. 20.

F77<sup>6</sup> .....

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### Textual Amendments

**F77** Sch. 6 paras. 1, 2(2), 3, 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

### *Inland Revenue affidavits*

- 7 In relation to deaths occurring before 13th March 1975 (the date on which the <sup>M16</sup>Finance Act 1975 was passed)—
- (a) section 109 shall not apply; and
  - (b) section 110 shall have effect as if at the end of paragraph (b) there were added the words “and the Inland Revenue affidavit within the meaning of Part I of the <sup>M17</sup>Finance Act 1894”.

### Marginal Citations

**M16** 1975 c. 7.

**M17** 1894 c. 30.

### *Grants of representation made under provisions of 1925 Act not reproduced in this Act*

- 8 Nothing in the repeals made by this Act shall affect—
- (a) any grant made before the commencement of this Act under any of the following provisions of the 1925 Act, namely section 162(1) and proviso (a) thereto and sections 164 and 165; or
  - (b) the continued operation of subsections (2) and (3) of section 164 of that Act in relation to any grant so made under that section.

### *Minor executors*

- 9 Any appointment of a minor as executor which, immediately before the commencement of this Act, was by virtue of section 165(2) of the 1925 Act rendered ineffective for the purposes mentioned in that subsection shall continue to be ineffective for those purposes unless and until probate is granted to the person in question in accordance with probate rules.

### *Administration bonds given before 1st January 1972*

- 10 Nothing in this Act shall affect the continued operation of section 167 of the 1925 Act, as in force before 1st January 1972 (the date on which the <sup>M18</sup>Administration of Estates Act 1971 came into force), in relation to the enforcement or assignment of any administration bond given under that section before that date.

### Marginal Citations

**M18** 1971 c. 25.



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*Grants and resealings liable to revocation or cancellation at instance of court*

- 11 Section 121 applies whether the grant in question was made or (as the case may be) resealed before or after the commencement of this Act.

*Appeals from certain orders and decisions under section 54(3) of Magistrates' Courts Act 1952*

- 12 In paragraph 3(d) of Schedule 1, the reference to an order or decision made under section 63(3) of the <sup>M19</sup>Magistrates' Courts Act 1980 includes a reference to an order or decision made under section 54(3) of the <sup>M20</sup>Magistrates' Courts Act 1952.

**Marginal Citations**

**M19** 1980 c. 43.

**M20** 1952 c. 55.

*Interpretation*

- 13 (1) In this Schedule “the <sup>M21</sup>1925 Act” means the [<sup>F78</sup>Senior Courts] of Judicature (Consolidation) Act 1925.
- (2) Nothing in this Schedule shall be taken as prejudicing the operation of the provisions of the <sup>M22</sup>Interpretation Act 1978 as respects the effect of repeals.

**Textual Amendments**

**F78** Words in [Sch. 6 para. 13](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 26\(1\); S.I. 2009/1604, art. 2\(d\)](#)

**Marginal Citations**

**M21** 1925 c. 49.

**M22** 1978 c. 30.

<sup>X2</sup>SCHEDULE 7

Section 152(4)

**Editorial Information**

**X2** The text of s. 152(1)(4)(5), Sch. 5 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Chapter	Short Title	Extent of Repeal
33 Hen. 8. c. 39.	Crown Debts Act 1541.	The whole Act.
39 & 40 Geo. 3. c. 36.	Transfer of Stock Act 1800.	The whole Act.
10 Geo. 4. c. 13.	Court Funds Act 1829.	The whole Act.

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3 & 4 Will. 4. c. 99.	Fines Act 1833.	Sections 26 to 28 and 30 to 32, except as regards process issued before the commencement of this Act.  Section 33, except as regards matters to which sections 23 to 25 of the Act relate.
7 & 8 Vict. c. 96.	Execution Act 1844.	The whole Act, except section 67 so far as it relates to the process of the High Court.
14 & 15 Vict. c. 99.	Evidence Act 1851.	Section 6.
15 & 16 Vict. c. 76.	Common Law Procedure Act 1852.	Section 126.
20 & 21 Vict. c. 77.	Court of Probate Act 1857.	The whole Act.
21 & 22 Vict. c. 27.	Chancery Amendment Act 1858.	The whole Act, so far as unrepealed.
21 & 22 Vict. c. 95	Court of Probate Act 1858.	The whole Act.
22 & 23 Vict. c. 21.	Queen's Remembrancer Act 1859.	Section 23.
24 & 25 Vict. c. 10.	Admiralty Court Act 1861.	The whole Act.
27 & 28 Vict. c. 25.	Naval Prize Act 1864.	In section 2, the definition of "the High Court of Admiralty".  Sections 10 to 12, 14, 15 and 45.
31 & 32 Vict. c. 72.	Promissory Oaths Act 1868.	In Part II of the Schedule, the entries relating to the Lord Chief Justice and the Master of the Rolls.
31 & 32 Vict. c. 125.	Parliamentary Elections Act 1868.	Section 11.
33 & 34 Vict. c. 28.	Attorneys' and Solicitors' Act 1870.	The whole Act.
42 & 43 Vict. c. 75.	Parliamentary Elections and Corrupt Practices Act 1879.	The whole Act, so far as unrepealed.
46 & 47 Vict. c. 51.	Corrupt and Illegal Practices Act 1883.	Section 42.
54 & 55 Vict. c. 53.	Supreme Court of Judicature Act 1891.	In section 5, the words from "and" onwards.
56 & 57 Vict. c. 71.	Sale of Goods Act 1893.	Section 26.

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4 & 5 Geo. 5. c. 59.	Bankruptcy Act 1914.	In section 97, subsection (1) and, in subsection (2), the proviso.
5 & 6 Geo. 5. c. 57.	Prize Courts Act 1915.	Section 4.
14 & 15 Geo. 5. c. 17.	County Courts Act 1924.	The whole Act.
15 & 16 Geo. 5. c. 23.	Administration of Estates Act 1925.	In section 55(1), in paragraph (xiii), the words from “or” onwards, and paragraphs (xvi) and (xxii).
15 & 16 Geo. 5. c. 49.	Supreme Court of Judicature (Consolidation) Act 1925.	The whole Act.
18 & 19 Geo. 5. c. 26.	Administration of Justice Act 1928.	The whole Act.
22 & 23 Geo. 5. c. 55.	Administration of Justice Act 1932.	The whole Act.
23 & 24 Geo. 5. c. 36.	Administration of Justice (Miscellaneous Provisions) Act 1933.	Section 6.
25 & 26 Geo. 5. c. 2.	Supreme Court of Judicature (Amendment) Act 1935.	The whole Act.
1 & 2 Geo. 6. c. 28.	Evidence Act 1938.	Section 5.
1 & 2 Geo. 6. c. 63.	Administration of Justice (Miscellaneous Provisions) Act 1938.	The whole Act.
1 & 2 Geo. 6. c. 67.	Supreme Court of Judicature (Amendment) Act 1938.	The whole Act.
3 & 4 Geo. 6. c. 28.	Evidence and Powers of Attorney Act 1940.	Section 4(1)(a).
7 & 8 Geo. 6. c. 9.	Supreme Court of Judicature (Amendment) Act 1944.	The whole Act.
10 & 11 Geo. 6. c. 44.	Crown Proceedings Act 1947.	In section 20(2), the proviso.  In section 27(1), paragraph (c) of the proviso and the word “or” preceding it.
11 & 12 Geo. 6. c. 38.	Companies Act 1948.	In section 219, in subsection (1), the words from “at any time” to “or may”, and subsection (2).
11 & 12 Geo. 6. c. 58.	Criminal Justice Act 1948.	In section 37(4), the words from “and the powers” onwards.

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12, 13, & Geo. 6. c. 100.	Law Reform (Miscellaneous Provisions) Act 1949.	Section 9.
2 & 3 Eliz. 2. c. 38.	Supreme Court Officers (Pensions) Act 1954.	The whole Act.
4 & 5 Eliz. 2. c. 46.	Administration of Justice Act 1956.	Parts I and II.  Sections 34 and 36. Section 38. Sections 42 to 44. Section 54. Section 56.
6 & 7 Eliz. 2. c. 51. F79	Public Records Act 1958. F79	Section 8(2). F79
...	...	...
7 & 8 Eliz. 2. c. 39.	Supreme Court of Judicature (Amendment) Act 1959.	The whole Act.
7 & 8 Eliz. 2. c. 72.	Mental Health Act 1959.	In section 111(2), the words from “and onwards”. Section 115(2). In Schedule 7, in Part I, the entry relating to the Supreme Court of Judicature (Consolidation) Act 1925.
8 & 9 Eliz. 2. c. 9.	Judicial Pensions Act 1959.	In Schedule 1, in column 1, the words from “Lord Chief Justice, Master of the Rolls” to “Puisne Judge of the High Court of Justice”.
8 & 9 Eliz. 2. c. 65.	Administration of Justice Act 1960.	In section 13(6), the words from “and for” onwards.
9 & 10 Eliz. 2. c. 3.	Administration of Justice (Judges and Pensions) Act 1960.	The whole Act.
9 & 10 Eliz. 2. c. 39.	Criminal Justice Act 1961.	In Schedule 4, the entry relating to the Mental Health Act 1959.
10 & 11 Eliz. 2. c. 27.	Recorded Delivery Service Act 1962.	In the Schedule, paragraph 4.
1964 c. 43.	Criminal Appeal Act 1964.	The whole Act.
1965 c. 2.	Administration of Justice Act 1965.	Section 15(3).  Section 22.

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		Section 24.
		Section 26.
		In Schedule 1, the entry relating to the Court Funds Act 1829.
1966 c. 31.	Criminal Appeal Act 1966.	The whole Act.
1967 c. 28.	Superannuation (Miscellaneous Provisions) Act 1967.	In section 3(4), the words “Lord Chancellor’s Medical Visitor”.
1967 c. 56.	Matrimonial Causes Act 1967.	Section 6.
1968 c. 5.	Administration of Justice Act 1968.	Section 1(1)(b).
1968 c. 19.	Criminal Appeal Act 1968.	In section 11(4)(b), the words “of Court of Appeal”.
		Section 46.
		Section 51(3).
		In Schedule 5, in Part I, the amendments of the Supreme Court of Judicature (Consolidation) Act 1925, of the Mental Health Act 1959 and of the Criminal Appeal Act 1966 and, in the amendment of the Administration of Justice Act 1960, the words “and for the purposes of the said Part I”.
1968 c. 20.	Courts-Martial (Appeals) Act 1968.	In section 2(1)(a), the words “of the Queen’s Bench Division” and the words from “after” to “Rolls”.
		In section 3(a), the words “of the Queen’s Bench Division”.
1968 c. 59.	Hovercraft Act 1968.	Section 2(5).
1968 c. 64.	Civil Evidence Act 1968.	In section 8(6), the words “section 99 of the Supreme Court of Judicature (Consolidation) Act 1925” and “section 101 of the Supreme Court of Judicature (Consolidation) Act 1925”.
1969 c. 46.	Family Law Reform Act 1969.	In Schedule 1, in Part I, the entry relating to the

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		Supreme Court of Judicature (Consolidation) Act 1925.
1969 c. 48.	Post Office Act 1969.	In Schedule 6, the entries relating to section 27 of the Crown Proceedings Act 1947, section 38 of the Administration of Justice Act 1956 and section 143 of the County Courts Act 1959.
1969 c. 58.	Administration of Justice Act 1969.	In section 12(2)(a), the words from “(including” to “1925)”.  In section 20(1), the words from the beginning to “1925, and” and the word “each”.  Section 21(1) to (3) and (5).  Section 23.  Sections 25, 26 and 27(1).  In section 34(3), the words from the beginning to “1947, and” in their application to section 20 as regards rules of court under section 99 of the Supreme Court of Judicature (Consolidation) Act 1925.
1970 c. 17.	Proceedings Against Estates Act 1970.	Section 2.
1970 c. 31.	Administration of Justice Act 1970.	In section 1—  (a) subsections (1) to (5), (7) and (8), and  (b) in subsection (6)(a), the words from “that is” to “other”.  Section 2(1) to (4).  Section 3.  Sections 5 and 6.  Section 9.  Sections 31 to 33 so far as they relate to the High Court and county courts in England and Wales.  Section 34(1).

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		Section 35 so far as it relates to the High Court and county courts in England and Wales.
		Section 37(3).
		Section 45(3).
		Schedule 1.
		In Schedule 2, paragraphs 6 to 15, 18, 20 and 22, and in paragraph 23, the words “and section 63 thereof (transfer of probate proceedings from High Court to county court),” and “, in each place where they occur,”.
1971 c. 3.	Guardianship of Minors Act 1971.	In Schedule 1, in the entry relating to the Administration of Justice Act 1970, the amendments of Schedule 1 to that Act.
1971 c. 23.	Courts Act 1971.	Parts I and II. Section 23. Sections 25 and 26. Section 50. In section 57, in subsection (1), the definition of “the Judicature Act 1925”, and subsection (3)(a). Schedule 1. In Schedule 8, paragraphs 18, 35(1), 40(3), 44, 46, and 57(2).
1971 c. 25.	Administration of Estates Act 1971.	Section 8.  In section 11(3), the words “and orders”.  In section 12, subsection (4) (a) and, in subsection (5), the words from “under section” to “or”.
1971 c. 27.	Powers of Attorney Act 1971.	Section 2.  In section 11(3), the words from “and” onwards.

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1972 c. 11.	Superannuation Act 1972.	In Schedule 6, paragraphs 6, 8 and 34.
1972 c. 30.	Civil Evidence Act 1972.	In section 2(8), the words “section 99 of the Supreme Court of Judicature (Consolidation) Act 1925” and “section 101 of the said Act of 1925”.
1973 c. 14.	Costs in Criminal Cases Act 1973.	In Schedule 1, paragraph 7.
1973 c. 15.	Administration of Justice Act 1973.	Section 9(1)(b).  In section 12, in subsection (1), the words “as judge of the Supreme Court in England and Wales”, and subsection (3).  Section 15.  In section 16—  (a) subsection (1),  (b) in subsections (3) to (6), the words “deputy district registrar or”, wherever occurring, and  (c) subsection (7).  Section 19(2).  In Schedule 2, paragraphs (a) and (b) of Part II.
1973 c. 18.	Matrimonial Causes Act 1973.	In Schedule 2, paragraphs 1, 6(3) and 10(1).
1973 c. 29.	Guardianship Act 1973.	Section 9(2)(c).
1974 c. 37.	Health and Safety at Work etc. Act 1974.	In section 69(6), the words from the beginning to “but”.
1974 c. 47.	Solicitors Act 1974.	In section 50(1), the words from “but” onwards.  In Schedule 3, paragraph 2.
1975 c. 7.	Finance Act 1975.	In Schedule 4, in paragraph 38, sub-paragraph (1) and, so far as it relates to section 156A of the Supreme Court of Judicature (Consolidation) Act 1925, sub-paragraph (4).



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1975 c. 14.	Social Security Act 1975.	Section 94(6).
1975 c. 72.	Children Act 1975.	In Schedule 3, paragraph 73(1).
1976 c. 36.	Adoption Act 1976.	In Schedule 3, paragraph 14.
1976 c. 63.	Bail Act 1976.	In Schedule 2, paragraphs 32 and 48.
1977 c. 37.	Patents Act 1977.	Section 96.  In section 97(2), the words from “and” onwards.  In Schedule 2, in paragraph 1(2), the reference to section 96.
1977 c. 38.	Administration of Justice Act 1977.	Sections 9 and 10.  In section 22, the words from “section 99” to “1925 and”.  Section 27.
1978 c. 22.	Domestic Proceedings and Magistrates’ Courts Act 1978.	In Schedule 2, paragraph 25.
1979 c. 53.	Charging Orders Act 1979.	Section 7(2), so far as it repeals section 35 or amends section 36 of the Administration of Justice Act 1956.
1980 c. 51.	Housing Act 1980.	In Schedule 25, paragraph 10.
1980 c. 58.	Limitation Act 1980.	Section 35(9).
1981 c. 20.	Judicial Pensions Act 1981.	In Schedule 1, paragraph 4(2).  In Schedule 3, paragraph 1.
1981 c. 49.	Contempt of Court Act 1981.	In section 16(2), paragraph (c) and the word “and” preceding it.

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#### Textual Amendments

**F79** Entry repealed by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(3), [Sch. 4](#)

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**Changes and effects yet to be applied to :**

- s. 16 modified by [2023 asc 3 s. 184\(4\)](#)

**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. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)