



Administration of Justice Act 1964

1964 CHAPTER 42

PART I

GREATER LONDON

F1

Textual Amendments

F1 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

F2, 3

Textual Amendments

F2 Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F3 ~~4–8~~.

Textual Amendments

F3 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

F4 ~~9, 10~~.

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Textual Amendments

F4 Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

^{F5}**11**

Textual Amendments

F5 S. 11, Sch. 3 paras. 20(2), 22(3)(5) repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

12 Composition of juvenile courts.

- (1) ^{F6} . . . and Part II of that Schedule shall apply accordingly to the inner London area and the City subject to the following provisions of this section.
- (2) In paragraph 15 of the said Schedule 2 for any reference to a justice or justices of the peace for the county of London there shall be substituted a reference to a lay justice or justices for the inner London area.
- (3) The functions of the Secretary of State under the said Part II with respect to the nomination or selection of the chairmen and other members of the [^{F7}youth courts] shall be transferred to the Lord Chancellor, and accordingly for any reference to the Secretary of State in paragraphs 15, 16 and 18 of the said Schedule 2 there shall be substituted a reference to the Lord Chancellor.

Textual Amendments

F6 Words in s. 12(1) repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(1), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9))

F7 Words in s. 12(1)(3) substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF: 39:1), s. 100, **Sch. 11 para. 40(1)(2)(f)**; S.I. 1992/333, art. 2(2), **Sch. 2**.

Modifications etc. (not altering text)

C1 The text of s. 12, Sch. 3 paras. 18, 27, 30, 31(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{F8}**13**—
17

Textual Amendments

F8 Ss. 2, 3, 9, 10, 13-17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

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Lieutenant and Sheriff

- 18 ^{F9}(1)
^{F10}(3)

Textual Amendments

- F9** S. 18(1)(2) repealed by **Armed Forces Act 1980 (c. 9, SIF 7:2), Sch. 10 Pt. II**
F10 S. 18(3), Sch. 3 paras. 20(3)(4), 31(1) repealed by **Local Government Act 1972 (c. 70, SIF 81:1), Sch. 30**

19 Sheriff of Greater London.

- (1) For Greater London other than the City a sheriff, who shall be known as the sheriff of Greater London, shall be appointed in accordance with the enactments and customs applied by the following provisions of this section [^{F11}and an under-sheriff shall be so appointed for each area of Greater London (not including any part of the City) specified by the Lord Chancellor by order; and an order under this subsection shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament].
- (2) Subject to the following provisions of this section—
- (a) for the purposes of the ^{M1}Sheriffs Act 1887 and the customs relating to the appointment of sheriffs Greater London other than the City shall be treated as a county;
 - (b) any enactment not contained in the said Act of 1887 or the [^{F12M2}House of Commons Disqualification Act 1975] shall apply to the sheriff of Greater London as if Greater London other than the City were a county and shall apply to the under-sheriff of any [^{F13}area specified by virtue of subsection (1) of this section] as if that area were a county;
 - (c) any reference in any enactment to the sheriff of the county of London or of Middlesex shall be construed as a reference to the sheriff of Greater London.
- (3) Paragraphs (a) ^{F14}. . . of subsection (2) of this section ^{F14}. . . shall not apply to any reference to a county adapted by subsection (4) of this section or to any reference to a court of quarter sessions for a county.
- (4) The ^{M3}Sheriffs Act 1887 shall, in its application to Greater London, the sheriff of Greater London and the under-sheriff of any [^{F15}area specified by virtue of subsection (1) of this section], have effect subject to the following additional modifications:—
- [^{F16}(a) in sections 7(1), 17, 23(3) and 26(1) any reference to a county shall be construed as a reference to Greater London;]
 - ^{F17}(b)
 - (c) the documents required by sections 6(3), 23(1) and 30 to be sent to the clerk of the peace [^{F18}shall be sent to the officer specified by the Lord Chancellor by order made by statutory instrument].

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Textual Amendments

- F11** Words in s. 19(1) substituted (27.9.1999) by 1999 c. 22, ss. 76, 108(3), **Sch. 10 para. 30(2)** (with Sch. 14 paras. 7(2))
- F12** Words substituted by virtue of **Interpretation Act 1978** (c. 30, SIF 115:1), **s. 17(2)(a)**
- F13** Words in s. 19(2) substituted (27.9.1999) by 1999 c. 22, ss. 76, 108(3), **Sch. 10 para. 30(3)** (with Sch. 14 para. 7(2))
- F14** Words repealed by **Local Government Act 1972** (c. 70, SIF 81:1), **Sch. 30**
- F15** Words in s. 19(4) substituted (27.9.1999) by 1999 c. 22, ss. 76, 108(3), **Sch. 10 para. 30(4)(a)** (with Sch. 14 para. 7(2))
- F16** S. 19(4)(a) substituted (1.4.2005) by **Courts Act 2003** (c. 39), ss. 109(1), 110(1), **Sch. 8 para. 117**; S.I. 2005/910, **art. 3(y)**
- F17** S. 19(4)(b) repealed by **Local Government Act 1972** (c. 70, SIF 81:1), **Sch. 30**
- F18** Words in s. 19(4)(c) substituted (27.9.1999) by 1999 c. 22, ss. 76, 108(3), **Sch. 10 para. 30(4)(c)** (with Sch. 14 para. 7(2))

Modifications etc. (not altering text)

- C2** References to clerk of the peace for each London commission area to be construed in accordance with **Courts Act 1971** (c. 23, SIF 37), **Sch. 8 para. 1** and **Local Government Act 1972** (c. 70, SIF 81:1), **Sch. 29 para. 4(1)(a)**

Marginal Citations

- M1** 1887 c. 55 (45:1).
- M2** 1975 c. 24 (89).
- M3** 1887 c. 55 (45:1).

Miscellaneous and Supplementary

F19²⁰

Textual Amendments

- F19** S. 20 repealed by **Criminal Justice Act 1967** (c. 80, SIF 39:1), **Sch. 7 Pt. I**

- 21** ^{F20}(1)
- ^{F21}(3)
- ^{F20}(5)
- ^{F21}(7)

Textual Amendments

- F20** S. 21(1)(2)(5)(6) repealed by **Criminal Justice Act 1972** (c. 71, SIF 39:1), **Sch. 6 Pt. I**
- F21** S. 21(3)(4)(7)(8)(9) repealed by **Courts Act 1971** (c. 23, SIF 37), **Sch. 11 Pt. I**

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^{F22}**22**

Textual Amendments

F22 S. 22 repealed by Powers of Criminal Courts Act 1973 (c. 62, SIF 39:1), Sch.6

^{F23}**23**

Textual Amendments

F23 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

^{F24}**24**

Textual Amendments

F24 S. 24 repealed by Superannuation (Miscellaneous Provisions) Act 1967 (c. 28, SIF 101A:1), **s. 15(8)(j), (9)**

25 ^{F25}(1)
^{F26}(2)
^{F25}(3)

Textual Amendments

F25 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**
F26 S. 25(2) repealed by Administration of Justice Act 1973 (c. 15, SIF 37), ss. 19(1), 20(6), **Sch. 5 Pt. I**

26 The Inner and Middle Temples.

It is hereby declared that the Inner Temple and the Middle Temple are included in the City of London, and in no other area, for the purposes of the law relating to ^{F27}... ^{F28}... justices of peace, ^{F29}... magistrates' courts, ^{F30}... sheriffs, juries and matters connected therewith.

Textual Amendments

F27 Words in s. 26 omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 9 para. 55**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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- F28** Words in s. 26 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110(1), **Sch. 8 para. 118, Sch. 10; S.I. 2005/910, art. 3(y)(aa)**
- F29** Words repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**
- F30** Word in s. 26 repealed (1.7.1997) by 1997 c. 23, ss. 8(4), 9(2), **Sch. 3**

PART II

F31 **27,**
28

Textual Amendments

- F31** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F32 **29**

Textual Amendments

- F32** Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), **Sch. 11 Pt. IV**

F33 **30**

Textual Amendments

- F33** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F34 **31**

Textual Amendments

- F34** S. 31 repealed by (S.) District Courts (Scotland) Act 1975 (c. 20, SIF 36:4), **Sch. 2** and (E.W.) Statute Law (Repeals) Act 1978 (c. 45), **Sch. 1 Pt. I**

F35 **32**

Textual Amendments

- F35** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

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F36 **33**

Textual Amendments

F36 S. 33, Sch. 3 paras. 12(2), 15, 22(4), 24 repealed by Justices of the Peace Act 1968 (c. 69, SIF 82), Sch. 5 Pt. II

F37 **34**

Textual Amendments

F37 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), Sch. 11 Pt. IV

PART III

SUPPLEMENTAL

F38 **35**

Textual Amendments

F38 Ss. 1, 4–8, 23, 25(1)(3)(4), 29, 34, 35, Schs. 1, 2, Sch. 3 paras. 11, 14, 17 repealed by Courts Act 1971 (c. 23, SIF 37), Sch. 11 Pt. IV

F39 **36**

Textual Amendments

F39 Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, Sch. 3

37 Financial provisions.

(1) Any increase attributable to the provisions of this Act in the sums payable under any other enactment out of the Consolidated Fund or out of moneys provided by Parliament shall be paid out of that Fund or out of moneys so provided.

(2) ^{F40}

^{F41}(3)

^{F42}(4)

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Textual Amendments

- F40** S. 37(2) repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 145, 146, 148(1), **Sch. 17 para. 5, Sch. 18 Pt. 4**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 paras. 11(q), 28, 30(d)
- F41** S. 37(3) repealed by Local Government Act 1985 (c. 51, SIF 81: 1), s. 102, **Sch. 17**
- F42** Ss. 2, 3, 9, 10, 13–17, 27, 28, 30, 32, 36, 37(4), Sch. 3 paras. 12(1), 20(6)(7) repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

38 Interpretation.

- (1) In this Act, unless the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them, that is to say—

“the City” means the City of London;

“committed for sentence or order” means committed to be dealt with under [^{F43}section 37 or 38 of the ^{M4}Magistrates’ Courts Act 1980], or under section 67 of the ^{M5}Mental Health Act 1959;

^{F44}
...

“existing”, in relation to any authority or thing, means that authority or thing as it existed immediately before the commencement of this Act;

^{F45}
...

“officer” includes the holder of any place, situation or employment and “office” shall be construed accordingly;

[^{F46}“Receiver” means the Receiver for the metropolitan police district;]

^{F47}
...

- (2) References in this Act to any enactment shall, except in so far as the context otherwise requires, be construed as references to that enactment as amended by or under any subsequent enactment including this Act.

Textual Amendments

- F43** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 7 para. 51**
- F44** In s. 38(1), definition of “domestic court” repealed (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 92(11), 108(6)(7), Sch. 11 Pt. II para. 5, **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**.
- F45** Definition beginning “London commission areas” in s. 38(1) repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9))
- F46** Definition of “Receiver”
in s. 38(1) repealed (*prosp.*) by 1999 c. 29, ss. 325, 423, 425(2), Sch. 27 para. 18, Sch. 34 Pt. VII (with **Sch. 12 para. 9(1)**)
- F47** Definition of “stipendiary magistrate”
in s. 38(1) repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

Marginal Citations

- M4** 1980 c. 43 (**82**).
- M5** 1959 c. 72 (**85**).

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39 Consequential and minor modifications and amendments.

- (1) Part I of Schedule 3 to this Act shall have effect for the purpose of making general adaptations of enactments in consequence of the foregoing provisions of this Act.
- (2) The enactments specified in Part II of the said Schedule 3 shall have effect subject to the modifications and amendments set out in that Part, being modifications and amendments consequential on the foregoing provisions of this Act and other minor amendments.

40 Transitional provisions.

- ^{F48}(1)
- (2) No provision contained in this Act or any instrument thereunder shall be construed as prejudicing the powers conferred by section 148 of the ^{M6}Local Government Act 1933, Part II of the ^{M7}Local Government Act 1958 or section 84 or 87 of the ^{M8}London Government Act 1963 (whether as originally enacted or as extended by section 35 of this Act).

Textual Amendments

F48 Ss. 40(1), 41(8), Sch. 3 paras. 9, 19(3), 20(5), 23(2), Sch. 5 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

Marginal Citations

M6 1933 c. 51.
M7 1958 c. 55.
M8 1963 c. 33 (81:1).

41 Short title, commencement, extent and repeal.

- (1) This Act may be cited as the Administration of Justice Act 1964.
- (2) Subject to the provisions of Schedule 4 to this Act, Part I of this Act shall come into force on 1st April 1965 except that if the Secretary of State by order appoints an earlier day for the commencement of any provision of the said Part I, that provision shall come into force on that earlier day.
- (3) The following provisions of this Act, that is to say, Part II (except section 31), section 39 and subsection (8) of this section shall come into force on such day as the Secretary of State may by order appoint.
- (4) Different days may be appointed under this section for different purposes of this Act; and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any order under this section, be construed as a reference to the day on which that provision comes into operation.
- (5) Any order under this section may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with the provisions thereby brought into force, including such adaptations of those provisions or any provisions of this Act then in force as appear to him necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order).

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(6) This Act, except section 31 ^{F49} . . . , shall not extend to Scotland.

(7) This Act, ^{F50} . . . shall not extend to Northern Ireland.

^{F51}(8)

Textual Amendments

F49 Words repealed by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), [Sch. 3](#) and [Statute Law Repeals Act 1978 \(c. 45\)](#), [Sch. 1 Pt. I](#)

F50 Words repealed by [House of Commons Disqualification Act 1975 \(c. 24, SIF 89\)](#), [Sch. 3](#)

F51 Ss. 40(1), 41(8), Sch. 3 paras. 9, 19(3), 20(5), 23(2), Sch. 5 repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

Modifications etc. (not altering text)

C3 Power of appointment conferred by s. 41(3) fully exercised: [S.I. 1964/864](#) and 1435

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 12 repealed by [1999 c. 22 Sch. 15 Pt. 5\(2\)](#)