



# Courts Act 1971

## 1971 CHAPTER 23

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTAL

#### *Merger or abolition of certain courts and offices*

#### **41 Merger of Palatine Courts with High Court.**

<sup>F1</sup> .....

#### **Textual Amendments**

**F1** S. 41 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 1 Group 3}

#### **42 Local court for City of London.**

(1) <sup>F2</sup> .....

<sup>F3</sup>(2) .....

<sup>F3</sup>(3) .....

(4) <sup>F4</sup> .....

#### **Textual Amendments**

**F2** S. 42(1) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\), s. 1\(1\)](#), {Sch. 1 Pt. 1 Group 3}

**F3** S. 42(2)(3) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 24](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

*Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971,  
Cross Heading: Merger or abolition of certain courts and offices. (See end of Document for details)*

**F4** S. 42(4) repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}

**43 Abolition of certain other local courts.**

**F5** .....

**Textual Amendments**  
**F5** S. 43 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), {Sch. 1 Pt. 1 Group 3}

**44 Abolition of certain offices.**

- (1) The following offices are hereby abolished:—
  - (a) chairman and deputy chairman of county quarter sessions; recorder, and deputy, assistant or temporary recorder, of a borough (but not the Recorder of London); clerk and deputy clerk of the peace;
  - (b) any judicial or other office in a court abolished or merged with the High Court by the preceding provisions of this Part of this Act, other than the office of Vice-Chancellor of the County Palatine of Lancaster;
  - (c) clerk of assize, circuit bailiff and any other office the duties of which relate exclusively to courts of assize.
- (2) The Lord Chancellor may, with the concurrence of the Minister for the Civil Service, by regulations provide for the payment out of money provided by Parliament of compensation to or in respect of persons who suffer loss of employment or loss or diminution of emoluments which is attributable—
  - (a) to the preceding provisions of this section, or
  - (b) to the abolition or merger of any court (including courts of assize, courts of quarter sessions and Palatine courts) by this Act, or
  - (c) to the transfer by this Act of any function to the Lord Chancellor or to any other Minister.
- (3) Regulations under this section may—
  - (a) include provision as to the manner in which and the person to whom any claim for compensation under the regulations is to be made, and for the determination of all questions arising under the regulations,
  - (b) make special provision for persons who, but for any national service, would be holders of any office or engaged in any employment,
  - (c) make different provision for different classes of persons and for other different circumstances, and make, or authorise the Lord Chancellor to make, exceptions and conditions,
  - (d) be framed so as to have effect from a date earlier than the making of the regulations,

but so that regulations having effect from a date earlier than their making shall not place any individual in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.
- (4) Regulations under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

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**Changes to legislation:** There are currently no known outstanding effects for the Courts Act 1971,  
Cross Heading: Merger or abolition of certain courts and offices. (See end of Document for details)

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45 ..... F6

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**Textual Amendments**

**F6** S. 45 repealed by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), s. 46(3), **Sch. 3**

46 ..... F7

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**Textual Amendments**

**F7** S. 46 repealed by Patents Act 1977 (c. 37), **Sch. 6**

**Changes to legislation:**

There are currently no known outstanding effects for the Courts Act 1971, Cross Heading:  
Merger or abolition of certain courts and offices.