



Senior Courts Act 1981

1981 CHAPTER 54

PART I

CONSTITUTION OF [F¹SENIOR COURTS]

The High Court

5 Divisions of High Court.

- (1) There shall be three divisions of the High Court namely—
 - (a) the Chancery Division, consisting of [F¹the Chancellor of the High Court, who shall be president thereof,] and such of the puisne judges as are for the time being attached thereto in accordance with this section;
 - (b) the Queen's Bench Division, consisting of the Lord Chief Justice, [F², the President of the Queen's Bench Division], [F³the vice-president of the Queen's Bench Division] and such of the puisne judges as are for the time being so attached thereto; and
 - (c) the Family Division, consisting of the President of the Family Division and such of the puisne judges as are for the time being so attached thereto.
- (2) The puisne judges of the High Court shall be attached to the various Divisions by direction [F⁴given by the Lord Chief Justice after consulting the Lord Chancellor]; and any such judge may with his consent be transferred from one Division to another by direction [F⁴given by the Lord Chief Justice after consulting the Lord Chancellor], but shall be so transferred only with the concurrence of the senior judge of the Division from which it is proposed to transfer him.
- (3) Any judge attached to any Division may act as an additional judge of any other Division at the request of the [F⁵Lord Chief Justice made][F⁶ with the concurrence of both of the following—
 - (a) the senior judge of the Division to which the judge is attached;
 - (b) the senior judge of the Division of which the judge is to act as an additional judge.]

Changes to legislation: Senior Courts Act 1981, Section 5 is up to date with all changes known to be in force on or before 05 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

- (4) Nothing in this section shall be taken to prevent a judge of any Division (whether nominated under section 6(2) or not) from sitting, whenever required, in a divisional court of another Division or for any judge of another Division.
- (5) Without prejudice to the provisions of this Act relating to the distribution of business in the High Court, all jurisdiction vested in the High Court under this Act shall belong to all the Divisions alike.
- [^{F7}(6) 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 subsection (2).]

Textual Amendments

- F1** Words in s. 5(1)(a) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 118\(2\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1 para. 11(i)
- F2** Words in s. 5(1)(b) substituted (1.10.2005) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 118\(3\)](#); [S.I. 2005/2505](#), [art. 2\(c\)](#)
- F3** Words in s. 5(1)(b) inserted (27.9.1999) by 1999 c. 22, ss. [69\(3\)](#), 108(3)(b) (with [Sch. 14 para. 7\(2\)](#))
- F4** Words in s. 5(2) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 118\(4\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1 para. 11(i)
- F5** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 125(2), [Sch. 17 para. 12](#)
- F6** Words in s. 5(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 118\(5\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1 para. 11(i)
- F7** S. 5(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 118\(6\)](#); [S.I. 2006/1014](#), [art. 2\(a\)](#), Sch. 1 para. 11(i)

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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\(2\)](#)