

Changes to legislation: Courts Act 2003, Cross Heading: Sheriffs Act 1887 (c. 55) is up to date with all changes known to be in force on or before 24 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 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Sheriffs Act 1887 (c. 55)

- 58 In section 7(1) (declaration of office), for the words from “effect before” onwards substitute “effect—
- (a) before one of the judges of Her Majesty’s High Court; or
 - (b) in the county of which he is sheriff before a justice of the peace.”
- 59 In section 17 (disqualification from acting as justice of the peace), for “peace for” substitute “peace in any local justice area consisting of or including the whole or a part of”.
- 60 In section 23(3) (declaration of office by under-sheriff), for the words from “effect before” onwards substitute “effect—
- (a) before one of the judges of Her Majesty’s High Court; or
 - (b) in the county for which such under-sheriff is appointed before a justice of the peace.”
- 61 (1) Amend section 26 (declaration by bailiffs, etc.) as follows.
- (2) Re-number the existing provision subsection (1).
- (3) In that subsection, for the words from “effect before” onwards substitute “effect—
- (a) before any judge of the High Court; or
 - (b) in the county in which he exercises his authority before a justice of the peace.”
- (4) After that subsection insert—
- “(2) Subsection (1) does not apply to any enforcement officer or any person acting under the authority of an enforcement officer.”

Commencement Information

- II** Sch. 8 para. 61 wholly in force; Sch. 8 para. 61 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 61(1)(2)(4) in force at 15.3.2004 by S.I. 2004/401, art. 2(b)(iii) (with art. 3); Sch. 8 para 61(3) in force at 1.4.2005 insofar as not already in force by S.I. 2005/910, art. 3(y)

- 62 In section 29 (punishment for misconduct), after subsection (2) insert—
- “(2A) Subsection (2) does not apply to any enforcement officer or any person acting under the authority of an enforcement officer.”
- 63 In section 38 (definitions), after the definition of “county” insert—

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““enforcement officer” means an individual who is authorised to act as an enforcement officer under the Courts Act 2003;”, and omit from “Any reference” to the end of the section.

Commencement Information

- I2** Sch. 8 para. 63 partly in force; Sch. 8 para. 63 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 63 in force for certain purposes at 15.3.2004 by S.I. 2004/401, art. 2(b)(iii) (with art. 3); Sch. 8 para. 63 in force 1.4.2005 insofar as not already in force by S.I. 2005/910, art. 3(y)

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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. 75(6) inserted by [2022 c. 35 Sch. 4 para. 3\(2\)](#)
- s. 76(2B) inserted by [2010 c. 26 Sch. 3 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 81(6) inserted by [2022 c. 35 Sch. 4 para. 3\(3\)](#)
- s. 85EA(5) words substituted by [2022 c. 32 Sch. 11 para. 29](#)
- Sch. 5 para. 13(1)(ca) inserted by [2013 c. 22 s. 26\(3\)](#)

Commencement Orders yet to be applied to the Courts Act 2003

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2005/547 art. 2](#) commences ([2003 c. 39](#))