

Changes to legislation: Constitutional Reform Act 2005, SCHEDULE 18 is up to date with all changes known to be in force on or before 28 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 18 **U.K.**

Section 146

REPEALS AND REVOCATIONS

PART 1 **U.K.**

POWERS TO MAKE RULES

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Courts-Martial (Appeals) Act 1968 (c. 20)	Section 49(3) and (4).
Supreme Court Act 1981 (c. 54)	Section 127(3). Section 136(3).
County Courts Act 1984 (c. 28)	Section 38(4)(c).
Matrimonial and Family Proceedings Act 1984 (c. 42)	In the second paragraph of section 40(2)— (a) in paragraph (a) “by the Lord Chancellor”; (b) in paragraph (b) “by the President of the Family Division with the concurrence of the Lord Chancellor”.
Coroners Act 1988 (c. 13)	Section 32(4).

PART 2 **U.K.**

JUDICIARY-RELATED FUNCTIONS AND ORGANISATION OF THE COURTS

Commencement Information

- II** [Sch. 18 Pt. 2](#) partly in force; [Sch. 18 Pt. 2](#) not in force at Royal Assent see [s. 148](#); [Sch. 18 Pt. 2](#) in force for certain purposes at 3.4.2006 by [S.I. 2006/1014](#), [art. 2\(a\)](#), [Sch. 1 para. 30\(b\)](#)

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Habeas Corpus Act 1679 (c. 2)	In section 1 “the lord chauncelior or lord keeper of the great seale of England for the time being or”. In section 2— (a) “the lord chauncellour or lord keeper or” in each place; (b) “lord chauncellor lord keeper”;

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	(c) “the said lord chancellor or lord keeper or” in the first and second places;
	(d) “lord chancellor or lord keeper or” in the last place.
	In section 9 “the said lord chancellor or lord keeper or”.
Pluralities Act 1838 (c. 106)	In section 126 “or persons”. In section 128 “or persons” in the second place.
Ecclesiastical Leasing Act 1842 (c. 108)	In section 22 “or persons”.
British Law Ascertainment Act 1859 (c. 63)	In section 5 “the Lord Chancellor.”.
Compensation (Defence) Act 1939 (c. 75)	Section 9(1)(a). Section 18(2).
Pensions Appeal Tribunals Act 1943 (c. 39)	Section 13. Section 14.
Agriculture Act 1947 (c. 48)	In section 108(1) “by the Minister” in the second place.
Lands Tribunal Act 1949 (c. 42)	In section 2(9)(a) “to the Lord President of the Court of Session or, in subsections (5) to (7).”.
Land Powers (Defence) Act 1958 (c. 30)	In Schedule 2, paragraphs 10 and 11.
Mental Health Act 1959 (c. 72)	In section 145 “or the Lord Chancellor”.
Administration of Justice Act 1960 (c. 65)	In section 14(2) “; and no such application shall in any case be made to the Lord Chancellor”.
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2 in the note relating to the Department for Constitutional Affairs “the Lord Chancellor's Department and”.
Transport Act 1962 (c. 46)	In Schedule 11, paragraph 10.
Courts Act 1971 (c. 23)	In section 24(1)— (a) “; he may”; (b) in paragraph (a) “or” in the last place where it occurs. In Schedule 10, paragraphs 3 and 4.
Land Charges Act 1972 (c. 61)	In section 16(2) “of the Lord Chancellor, with the concurrence of the Secretary of State,”.
Hearing Aid Council Act 1968 (c. 50)	In section 13 “on the Lord Chancellor”.
Rent (Agriculture) Act 1976 (c. 80)	Section 26(5).
Rent Act 1977 (c. 42)	Section 142.
Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)	In section 2(3), the second paragraph.
Housing Act 1980 (c. 51)	Section 86(4) to (6).

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Pensions Appeal Tribunals (Posthumous Appeals) Order 1980 (S.I. 1980/1082)	Article 10(b) and (c). Article 11(b) and (c).
Judicial Pensions Act 1981 (c. 20)	In section 1 in the entry beginning “Judge of the Supreme Court” in the first column of the table “, other than the Lord Chancellor”.
Supreme Court Act 1981 (c. 54)	Section 1(2). In section 2— (a) subsection (2)(a); (b) in subsection (6) “Lord Chancellor,”. In section 4— (a) subsection (1)(a); (b) in subsection (6) “Lord Chancellor,”. In section 7 “the Lord Chancellor,”. In section 9(2) the words after the definition of “relevant court”. In section 11(1) “except the Lord Chancellor”. In section 12(1) “, other than the Lord Chancellor,”. In section 44(2), “the Lord Chancellor,”. Section 84(8). In section 91(1)(a) “or III”.
Mental Health Act 1983 (c. 20)	In section 94(1) “by the Lord Chancellor or”. In section 96(3) “the Lord Chancellor or”. In section 104(3) “the Lord Chancellor or” in both places. In section 105(2) “from any decision of the Lord Chancellor or”. In section 111— (a) in subsection (1) “by the Lord Chancellor or”; (b) in subsection (2) “the Lord Chancellor or”; (c) in subsection (4)(a) “the Lord Chancellor or”; (d) in subsection (4)(b) “the Lord Chancellor,”. In Schedule 2, in paragraph 1(b) and (c) “after consultation with the Secretary of State”.
Pastoral Measure 1983 (1983 No. 1)	In section 81(2)— (a) in paragraph (a) the words from “, or a” to “books” and “last-mentioned”; (b) paragraph (b).
County Courts Act 1984 (c. 28)	Section 74A.
Matrimonial and Family Proceedings Act 1984 (c. 42)	Section 40(5).
Housing Act 1985 (c. 68)	Section 111. Section 181(4) and (5).

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	Section 572(4) to (6).
Coroners Act 1988 (c. 13)	In section 33(2)(a) “the Lord Chancellor or”.
Finance Act 1988 (c. 39)	Section 134(4).
Courts and Legal Services Act 1990 (c. 41)	Section 11(10).
Child Support Act 1991 (c. 48)	In section 52(1) “the Lord Chancellor,”.
Tribunals and Inquiries Act 1992 (c. 53)	Section 6(9). In section 7(1) “, other than the Lord Chancellor,”.
Judicial Pensions and Retirement Act 1993 (c. 8)	In section 26(7)— (a) in paragraph (a) “, unless he is the Lord Chancellor”; (b) in paragraph (b) “, unless he is the Lord Chancellor”. In Schedule 5, in the second entry “, other than the Lord Chancellor”.
Employment Tribunals Act 1996 (c. 17)	In section 22(1)(a) “(other than the Lord Chancellor)”.
Housing Act 1996 (c. 52)	Section 138(4) to (6). Section 143N(5) to (7).
Civil Procedure Act 1997 (c. 12)	In section 1(3) “or alter”. In section 3(6) “Subject to subsection (7),”. Section 3(7).
Justices of the Peace Act 1997 (c. 25)	In section 24(5) “by the Lord Chancellor”.
Terrorism Act 2000 (c. 11)	In section 74— (a) in paragraph (a) from “the Lord Chancellor” to “directs that”; (b) in paragraph (b) “the Lord Chief Justice of Northern Ireland directs that”.
Criminal Justice and Court Services Act 2000 (c. 43)	In section 76(1) “the Lord Chancellor or”. In section 77(1) “The Lord Chancellor or”.
Enterprise Act 2002 (c. 40)	In section 268(7) “made with the concurrence of the Lord Chancellor”.
Nationality, Immigration and Asylum Act 2002 (c. 41)	In section 16(3)(a) “of the Lord Chancellor”.
Criminal Justice Act 2003 (c. 44)	In section 330(1)(b) “on the Lord Chancellor”. Section 168(2).
Courts Act 2003 (c. 39)	In section 64— (a) in subsection (2) “Vice-Chancellor”; (b) subsection (4)(a). In section 69(4) “or alter”. In section 72(6), “Subject to subsection (7),”. Section 72(7). In section 75(5) “or alter”. Section 77(4).

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	In section 79(6), “Subject to subsection (7),” Section 79(7). Section 107(6), “by the Lord Chancellor”.
Armed Forces (Pensions and Compensation) Act 2004 (c. 32)	In Schedule 1, paragraphs 8 and 9.

PART 3 U.K.

FUNCTIONS UNDER LEGISLATION RELATING TO NORTHERN IRELAND

Commencement Information

12 Sch. 18 Pt. 3 partly in force; Sch. 18 Pt. 3 not in force at Royal Assent see s. 148; Sch. 18 Pt. 3 in force for certain purposes at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 para. 30(c)

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))	In section 36(1)— (a) in paragraph (a) “made after consultation with the Treasury,”; (b) in paragraph (b) “made after consultation with the Lord Chief Justice”.
County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))	In section 105(4) “Lord Chancellor’s”. In section 107(4) “Lord Chancellor’s”.
Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c. 2 (N.I.))	In section 1 “Lord Chancellor’s”. Section 11.
Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))	In section 2(1)(b) “Lord Chancellor’s”.
Judicature (Northern Ireland) Act 1978 (c. 23)	In section 71(3) “Lord Chancellor’s”. Section 104. In section 119(5) “on the Lord Chancellor”. In Schedule 6, paragraphs 6(a), 11(3), 14 and 17.
Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15))	In Article 48(1) the words after paragraph (b).
County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 3))	In Article 2(5) “on the Lord Chancellor”.
Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))	In Article 13(1) the words from “or as” to “Article 14”. Article 14. In Article 37(5) “Without prejudice to Article 14,”. In Article 168 “on the Lord Chancellor”.
Pensions Appeal Tribunals (Northern Ireland) Rules 1981 (S.R. 1981/231)	In Rule 2(1)—

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	(a) in the definition of “the Deputy President”, “by the Lord Chief Justice of Northern Ireland”;
	(b) in the definition of “the President”, “by the Lord Chief Justice of Northern Ireland”.
Merchant Shipping (Formal Investigations) Rules 1985 (S.I. 1985/1001)	Rule 17(a).
Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))	In Schedule 3, in paragraph 1(b) and (c) “after consultation with the Head of the Department”. In Schedule 6, paragraph 19.
Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. 1997/269)	In the Schedule, in rule 6 (appointment of tribunal)— (a) in paragraph (3)(a) omit “but”; (b) omit paragraph (3)(b).
Justice (Northern Ireland) Act 2002 (c. 26)	Section 12(2) and (3). In Schedule 3, paragraph 33. Schedule 5. In Schedule 13— (a) the entry relating to section 119(5) of the Judicature (Northern Ireland) Act 1978; (b) the entry relating to the County Courts (Northern Ireland) Order 1980; (c) the entry relating to Article 168 of the Magistrates' Courts (Northern Ireland) Order 1981.
Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9))	In Schedule 2, paragraph 3(3). In Schedule 4, the amendment of Schedule 6 to the Justice (Northern Ireland) Act 2002.”

PART 4 U.K.

THE LORD CHANCELLOR: MINOR AND CONSEQUENTIAL

Commencement Information

I3 Sch. 18 Pt. 4 partly in force; Sch. 18 Pt. 4 not in force at Royal Assent see s. 148; Sch. 18 Pt. 4 in force for certain purposes at (3.4.2006) by S.I. 2006/1014, art. 2, Sch. 1 para. 30

Reference

Fines Act 1833 (c. 99)
Promissory Oaths Act 1868 (c. 72)

Extent of repeal or revocation

The whole Act.
In the Schedule in Part 2 “The Lord Chancellor of Great Britain”.

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Universities of Oxford and Cambridge Act 1877 (c. 48)	In section 44— (a) “the Lord Chancellor,” in the first place; (b) “the Lord Chancellor or”.
Sheriffs Act 1887 (c. 55)	In section 6(1) “the Lord Chancellor,”.
Administration of Justice Act 1964 (c. 42)	Section 37(2).
Patronage (Benefices) Measure 1986 (1986 No. 3)	Section 36.
Priests (Ordination of Women) Measure 1993 (1993 No. 2)	Section 2(4)(c). In section 7(1) the words from “and to” to “Lord Chancellor”.

PART 5 **U.K.**

SUPREME COURT

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Appellate Jurisdiction Act 1876 (c. 59)	The whole Act.
Appellate Jurisdiction Act 1887 (c. 70)	The whole Act.
Railway and Canal Traffic Act 1888 (c. 25)	Section 17(5).
Supreme Court of Judicature Act 1891 (c. 53)	The whole Act.
Commissioners for Oaths Act 1889 (c. 10)	In section 11 the definition of “Supreme Court”.
Notice of Accidents Act 1894 (c. 28)	Section 8.
Administration of Justice (Appeals) Act 1934 (c. 40)	Section 1.
Appellate Jurisdiction Act 1947 (c. 11)	The whole Act.
Life Peerages Act 1958 (c. 21)	In section 1(1), “Without prejudice to Her Majesty's powers as to the appointment of Lords of Appeal in Ordinary,”.
Administration of Justice Act 1960 (c. 65)	Section 1(3).
Northern Ireland Act 1962 (c. 30)	In section 29(1) the definition of “the Supreme Court”.
Administration of Justice Act 1968 (c. 5)	The whole Act.
Criminal Appeal Act 1968 (c. 19)	Section 35(1) and (2).
Courts-Martial (Appeals) Act 1968 (c. 20)	Section 41(1) and (2).
Administration of Justice Act 1969 (c. 58)	Section 13(4) Section 14.
Taxes Management Act 1970(c. 9)	Section 56(8)(a). Section 56A(7).
Administration of Justice Act 1973 (c. 15)	Section 9(1)(a).

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	In section 12, in subsection (1) “as Lord of Appeal in Ordinary, or” and subsection (2).
Judicature (Northern Ireland) Act 1978 (c. 23)	Section 41(3). Section 42(3) to (5). In Schedule 5, in Part 2 the entry relating to the Appellate Jurisdiction Act 1876.
Criminal Appeal (Northern Ireland) Act 1980 (c. 47)	Section 33(1) and (2).
Contempt of Court Act 1981 (c. 49)	In section 19, in the definition of “superior court”, the words from “and includes” to the end.
Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))	In Part 1 of Schedule 1, paragraph 1(b).
Justices of the Peace Act 1997 (c. 25)	In section 7(2)(a) “within the meaning of the Appellate Jurisdiction Act 1876”.
Government of Wales Act 1998 (c. 38)	In Schedule 8— (a) paragraph 1(2)(a); (b) paragraph 29 and the heading before it; (c) paragraphs 32 to 34 and the heading before paragraph 32.
Human Rights Act 1998 (c. 42)	Section 6(4).
Scotland Act 1998 (c. 46)	Section 15(1)(c). In section 32(4), the definition of “Judicial Committee”. Section 103. In section 127, the entry for “Judicial Committee”. In Schedule 6, paragraph 32 and the heading before it. In Schedule 7, in the table under paragraph 1(2), the entry relating to section 103(3)(a) and (b).
Northern Ireland Act 1998 (c. 47)	In section 36(6)(a) “(other than a Lord of Appeal in Ordinary)”. Section 82. In section 98(1), the entry for “Judicial Committee”. In Schedule 10, paragraph 32 and the heading before it.
Access to Justice Act 1999 (c. 22)	In Schedule 2, paragraph 2(1)(b).
Freedom of Information Act 2000 (c. 36)	In Part 7 of Schedule 1, “The Northern Ireland Supreme Court Rules Committee.”
European Parliamentary Elections Act 2002 (c. 24)	In section 10(1), paragraph (b) and the “or” immediately preceding it.
Justice (Northern Ireland) Act 2002 (c. 26)	Section 18(1).

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Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10)) In Schedule 2, paragraph 2(a)(ii).

PART 6 **U.K.**

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Court of Chancery Act 1851 (c. 83)	In section 16, the words from “, exclusive of” to the end.
Oxford University Act 1862 (c. 26)	In section 7, “, not including the Lord President,”.
Public Schools Act 1868 (c. 118)	In section 9, “, not including the Lord President,”.
Judicial Committee Act 1881 (c. 3)	The whole Act.
Judicial Committee Act 1915 (c. 92)	In section 1, “and the Lord President of the Council”.

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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. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)