

## SCHEDULES

### SCHEDULE 11

#### TRANSITIONAL PROVISIONS

##### *The Supreme Court*

- 66 (1) Until the coming into force of section 23(1) of the Constitutional Reform Act 2005 (c. 4) this Act has effect subject to the following modifications.
- (2) In section 96, for “Supreme Court” substitute “Judicial Committee of the Privy Council”.
- (3) In section 98(6)(a), for “the Supreme Court decides” substitute “the Judicial Committee of the Privy Council decide”.
- (4) In the following provisions, for “Supreme Court” substitute “Judicial Committee of the Privy Council”—
- (a) the title to section 99,
  - (b) subsection (1) of that section,
  - (c) section 100(1)(b),
  - (d) section 101(4)(c), and
  - (e) section 102(2)(b).
- (5) In section 102(3)(a), for “the Supreme Court has” substitute “the Judicial Committee of the Privy Council have”.
- (6) In section 111(6)(a), for “the Supreme Court decides” substitute “the Judicial Committee of the Privy Council decide”.
- (7) In the following provisions, for “Supreme Court” substitute “Judicial Committee of the Privy Council”—
- (a) the title to section 112,
  - (b) subsection (1) of that section,
  - (c) section 113(1)(b),
  - (d) section 114(4)(c), and
  - (e) section 115(2)(b).
- (8) In section 115(3)(a), for “the Supreme Court has” substitute “the Judicial Committee of the Privy Council have”.
- (9) In section 148(1)(f), for “Senior Courts” substitute “Supreme Court”.
- (10) In paragraph 1(2) of Schedule 9 after “Schedule” insert “—
- (a) “the Judicial Committee” means the Judicial Committee of the Privy Council, and
  - (b)”.

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*Status: This is the original version (as it was originally enacted).*

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- (11) In paragraphs 7(2)(a), 9, 15 and 25 of that Schedule, for “Supreme Court” substitute “House of Lords”.
- (12) In the following provisions of that Schedule—
- (a) paragraph 10 and the heading before it,
  - (b) paragraph 18 and the heading before it,
  - (c) paragraph 19,
  - (d) paragraph 20 and the heading before it,
  - (e) paragraph 27 and the heading before it,
  - (f) sub-paragraph (1) of paragraph 29 and the heading before it, and
  - (g) paragraph 30(1),
- for “Supreme Court” substitute “Judicial Committee”.
- (13) In paragraph 11 of that Schedule—
- (a) for “Supreme Court”, in both places, substitute “Judicial Committee”,
  - (b) for “permission”, in the first two places, substitute “leave”, and
  - (c) for “permission”, in the third place, substitute “special leave”,
- and in the heading before it, for “Supreme Court” substitute “Judicial Committee”.
- (14) In paragraph 21 of that Schedule—
- (a) for “Supreme Court apart from this paragraph” substitute “House of Lords”,
  - (b) for “Supreme Court”, in the second and third places, substitute “Judicial Committee”,
  - (c) for “permission”, in the first two places, substitute “leave”, and
  - (d) for “permission”, in the third place, substitute “special leave”.
- (15) In paragraph 28 of that Schedule—
- (a) for “Supreme Court”, in both places, substitute “Judicial Committee”,
  - (b) for “permission”, in the first two places, substitute “leave”, and
  - (c) for “permission”, in the third place, substitute “special leave”,
- and in the heading before it, for “Supreme Court” substitute “Judicial Committee”.
- (16) Before paragraph 29 of that Schedule insert—

*“Proceedings in the House of Lords*

- 28A Any devolution issue which arises in judicial proceedings in the House of Lords is to be referred to the Judicial Committee unless the House considers it more appropriate, having regard to all the circumstances, that it should determine the issue.”