

## SCHEDULE 1

Article 4

### Enactments Conferring Functions Transferred by Article 4

- Commissioners for Oaths Act 1889 (c. 10), section 1(1);  
Courts Act 1971 (c. 23), Part 4;  
Solicitors Act 1974 (c. 47);  
Representation of the People Act 1983 (c. 2), except section 161;  
Representation of the People Act 1985 (c. 50);  
Administration of Justice Act 1985 (c. 61);  
Parliamentary Constituencies Act 1986 (c. 56), except paragraph 3 of Schedule 1;  
Legal Aid Act 1988 (c. 34);  
Courts and Legal Services Act 1990 (c. 41), Parts 2 and 4, sections 113 and 125, and section 124 (commencement) so far as relating to any of those provisions;  
Data Protection Act 1998 (c. 29), except—  
(a) sections 6(4)(a) and (b) and 28,  
(b) in Schedule 5, paragraph 12(2) so far as it relates to the resignation of the chairman or a deputy chairman, and  
(c) in Schedule 6, paragraphs 2 and 3;  
Human Rights Act 1998 (c. 42), except—  
(a) sections 5, 10, 18 and 19, and  
(b) Schedule 4;  
Access to Justice Act 1999 (c. 22), Parts 1 to 3, and Part 7 (supplementary) so far as relating to any provision of those Parts;  
Representation of the People Act 2000 (c. 2), Schedule 4;  
Freedom of Information Act 2000 (c. 36), except—  
(a) sections 15, 23, 24, 36, 46, 65 and 66, and  
(b) section 53 so far as it confers functions on “the accountable person ”;  
Election Publications Act 2001 (c. 5);  
European Parliamentary Elections Act 2002 (c. 24);  
European Parliament (Representation) Act 2003 (c. 7).

## SCHEDULE 2

Article 9

### Consequential Amendments

#### *Public Records Act 1958 (c. 51)*

1. In the Public Records Act 1958, in Part 1 of the Table at the end of paragraph 3 of Schedule 1, for “Lord Chancellor’s Department” substitute “Department for Constitutional Affairs”.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

*Courts Act 1971 (c. 23)*

2.—(1) In the Courts Act 1971, in sections 27, 29 and 30 for “Lord Chancellor” in each place substitute “Secretary of State”.

(2) In section 28 of that Act, for “First Secretary of State” in each place, and for “said Secretary of State”, substitute “Secretary of State”.

(3) In Schedule 3 to that Act—

(a) in paragraph 2(1), for “the Lord Chancellor” substitute “he”, and

(b) in paragraph 5, for “appropriate Minister” in each place substitute “Secretary of State”.

*Solicitors Act 1974 (c. 47)*

3. In the Solicitors Act 1974, in sections 2, 11, 12A, 14, 28, 31, 46, 47, 56 and 81A and in Schedule 1A, for “Lord Chancellor” in each place substitute “Secretary of State”.

*Representation of the People Act 1983 (c. 2)*

4. In the Representation of the People Act 1983, section 199A is repealed.

*Representation of the People Act 1985 (c. 50)*

5. In the Representation of the People Act 1985, section 27(2A) is repealed.

*Administration of Justice Act 1985 (c. 61)*

6. In the Administration of Justice Act 1985, for “Lord Chancellor” substitute “Secretary of State” in each place—

(a) in sections 9, 26, 38, 53 and 69,

(b) in Schedule 3, except paragraph 3 and the second place in paragraph 4(3), and

(c) in Schedule 4.

*Parliamentary Constituencies Act 1986 (c. 56)*

7. In the Parliamentary Constituencies Act 1986, section 6A is repealed.

*Courts and Legal Services Act 1990 (c. 41)*

8.—(1) In the Courts and Legal Services Act 1990, for “Lord Chancellor” substitute “Secretary of State” in each place—

(a) in sections 18, 18A, 21, 22, 26, 27, 34, 35, 37, 39 to 41, 43 to 45, 48, 50(3) and (6) and 53,

(b) in section 54, in the substituted section 23(2A) of the Solicitors Act 1974,

(c) in sections 55, 58, 58A, 60, 69, 89, 113(1) and (8) and 125, and

(d) in Schedules 3 to 6, 8 and 9.

(2) In section 50(2) of that Act, paragraph (a) is repealed.

(3) In Schedule 9 to that Act, in paragraph 5 for “Lord Chancellor's” in each place substitute “Secretary of State's”.

(4) In Schedule 19 to that Act, in paragraph 17—

(a) for “Lord Chancellor” substitute “Secretary of State”, and

(b) for “him” substitute “the Lord Chancellor”.

*Data Protection Act 1998 (c. 29)*

**9.**—(1) In the Data Protection Act 1998, for “Lord Chancellor” substitute “ Secretary of State” in each place—

- (a) in sections 6(4)(c), 7 to 10, 12, 16, 17, 22, 23, 25, 26, 30, 32, 38, 51, 52, 54, 56, 64, 67 and 75,
- (b) in Schedules 1 to 4,
- (c) in Schedule 5, in Part 1 and, in Part 2, in paragraphs 13 to 15,
- (d) in Schedule 6, in paragraph 7, and
- (e) in Schedule 7.

(2) In Schedule 5 to that Act, in paragraph 12(2), at the end insert “(in the case of the chairman or a deputy chairman) or to the Secretary of State (in the case of any other member)”.

*Human Rights Act 1998 (c. 42)*

**10.**—(1) In sections 1 and 14 to 16 of the Human Rights Act 1998, for “Lord Chancellor” in each place substitute “Secretary of State”.

(2) In sections 2(3)(a), 7(9)(a) and 20(2) and (4) of that Act, the words “ the Lord Chancellor or” are repealed.

*Access to Justice Act 1999 (c. 22)*

**11.**—(1) In the Access to Justice Act 1999, for “Lord Chancellor” substitute “ Secretary of State” in each place—

- (a) in sections 1 to 6, 8, 9, 12 to 14, 16, 18 to 20, 23, 25 and 26,
- (b) in section 28, in the inserted section 58B of the Courts and Legal Services Act 1990,
- (c) in sections 30 and 45 to 47,
- (d) in section 50, including the amendment to paragraph 7 of Schedule 3 to the Courts and Legal Services Act 1990,
- (e) in sections 51 and 52, and
- (f) in Schedules 1, 3 and 8.

(2) In section 108 of that Act, in subsection (1), after “Lord Chancellor” insert “or Secretary of State”.

(3) In Schedule 1 to that Act, in paragraph 15(5), for “Lord Chancellor's” substitute “Secretary of State's”.

(4) In Schedule 14 to that Act, in paragraph 1(1), after “Lord Chancellor” insert “or Secretary of State”.

*Freedom of Information Act 2000 (c. 36)*

**12.**—(1) In the Freedom of Information Act 2000, for “Lord Chancellor” substitute “Secretary of State” in each place—

- (a) in sections 4, 5, 7, 9, 10, 12, 13, 45, 47 and 53,
- (b) in section 69(2), in the inserted section 9A of the Data Protection Act 1998, and
- (c) in sections 75, 83 to 85 and 87.

(2) In section 46(5) of that Act, after “consult—” insert—  
“(a) the Secretary of State,”.

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(3) In section 82(1) of that Act, the words “Lord Chancellor or the” are repealed.

*Election Publications Act 2001 (c. 5)*

**13.** In the Election Publications Act 2001, in subsections (1) and (3) of section 2, the words “or the Lord Chancellor” are repealed.

*European Parliamentary Elections Act 2002 (c. 24)*

**14.** In the European Parliamentary Elections Act 2002, section 16A is repealed.

*European Parliament (Representation) Act 2003 (c. 7)*

**15.—(1)** In the European Parliament (Representation) Act 2003, for “Lord Chancellor” substitute “Secretary of State” in each place—

- (a) in sections 3, 5, 6, 10 to 13, 17 and 18,
- (b) in section 21(3), in the inserted section 13(3B) of the European Parliamentary Elections Act 2002, and
- (c) in section 28.

(2) Section 26 of that Act is repealed.