



Courts Act 1971

CHAPTER 23

COURTS ACT 1971

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Status: This is the original version (as it was originally enacted).

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SCHEDULE 1 — Quarter Sessions Jurisdiction Transferred to Crown Court

- 1 There shall be vested in the Crown Court all appellate...
- 2 Subject to the provisions of this Act, and in particular...

SCHEDULE 2 — Holders of Certain Existing Judicial Offices

PART I — CERTAIN OFFICE-HOLDERS TO BE CIRCUIT JUDGES

- 1 (1) On the appointed day the persons then holding office...
- 2 (1) Any person who, being appointed Recorder of London after...
- 3 (1) Subject to sub-paragraph (2) below, section 17 of this...

PART II — SUPPLEMENTARY PROVISIONS WITH RESPECT TO CERTAIN JUDICIAL OFFICERS

- 4 (1) If and so long as any holder of the...
- 5 Nothing in section 16, section 18(1) or section 19 of...
- 6 After the appointed day no person shall be appointed an...
- 7 On the appointed day section 14 of the City of...
- 8 Notwithstanding anything in sections 17 to 19 of this Act,...
- 9 (1) Subject to the preceding provisions of this Part of...

SCHEDULE 3 — Premises Formerly Used for Business of Abolished Courts

Right of use for Supreme Court and county, courts

- 1 (1) This paragraph has effect— (a) as respects any premises...

Status: This is the original version (as it was originally enacted).

Premises acquired by Secretary of State

- 2 (1) Before any premises used for the business of the...

Compulsory purchase

- 3 (1) This paragraph has effect where— (a) the Secretary of...

Loan charges

- 4 (1) Where any premises were, up to the appointed day,...
5 (1) Where the Secretary of State acquires from a local...
6 (1) For the purposes of this Schedule " loan charge...

Premises in which more than one local authority are interested

- 7 (1) If a compulsory purchase order authorises acquisition of the...

Termination of obligation to provide courthouse or sessions-house

- 8 Any obligation imposed on any authority by law or custom...

Judges' lodgings

- 9 (1) The duties and responsibilities of sheriffs, and of local...

Reference of disputes to Lands Tribunal

- 10 (1) Any dispute between a Minister and a local authority...

Exclusion of premises in City of London

- 11 Nothing in this Schedule applies to any premises in the...

Supplemental

- 12 (1) In this Schedule, unless the context otherwise requires— the...

SCHEDULE 4 — Juries : Consequential and Transitional Provisions

Amendments of Juries Act 1922

- 1 (1) The Juries Act 1922 shall be amended as follows....

City of London

- 2 (1) The Town Clerk of the City of London shall...

Challenge of jurymen

- 3 (1) The transfer of responsibility for summoning jurors to officers...

Venire de novo

- 4 A writ or order of venire de novo shall no...

View by jurors

- 5 Crown Court rules, and rules of court for civil cases,...

Consequential amendment of local Acts

6 The Lord Chancellor may by order contained in a statutory...

Transitional

7 (1) The Lord Chancellor may by order contained in a...

SCHEDULE 5 — Transitional Provisions consequential on Merger or Abolition of
certain Courts

PART I — THE PALATINE COURTS

Interpretation

1 In this Part of this Schedule— " the Palatine Court...

Pending Proceedings

2 (1) Subject to any provision made (whether before or after...

Fees

3 (1) All fees and other payments which, having become due...

Funds in court

4 (1) On the relevant date all investments and money which,...

Court Records

5 All records of the Palatine Court shall on and after...

PART II — MAYOR'S AND CITY OF LONDON COURT

Interpretation

6 In this Part of this Schedule— " the City Court...

Pending proceedings

7 (1) Any proceedings which had been begun in the City...

Outstanding fees

8 All fees and similar payments which, having become due in...

Funds in court

9 (1) On the relevant date all investments and money which...

PART III — OTHER LOCAL COURTS

Interpretation

10 In this Part of this Schedule— " the local courts...

Pending proceedings

11 (1) Subject to any provision made (whether before or after...

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

Fees

- 12 (1) All fees and similar payments which, having become due...

Funds in court

- 13 On the relevant date all investments and money which immediately...

Court records

- 14 All records of the local courts shall on and after...

SCHEDULE 6 — Amendments Relating-to Costs in Criminal Cases etc.

Costs in Criminal Cases Act 1952

- 1 (1) In section 5 of the Costs in Criminal cases...
 2 For sections 7 to 10 of the said Act there...
 3 (1) Section 12 of the Costs in Criminal Cases Act...
 4 In section 14(4) of the Costs in Criminal Cases Act,...
 5 In sections 16 and 17 of the said Act a...

Betting, Gaming and Lotteries Act 1963

- 6 In paragraph 23 of Schedule 1 to the Betting, Gaming...

Licensing Act 1964

- 7 In section 25 of the Licensing Act 1964 (award of...

Criminal Justice Act 1967

- 8 In section 31(2) of the Criminal Justice Act 1967, for...
 9 (1) In section 32 of the Criminal Justice Act 1967,...
 10 (1) In section 81(1) of the Criminal Justice Act 1967...

Criminal Appeal Act 1968

- 11 In the Criminal Appeal Act 1968— (a) in sections 24...

Gaming Act 1968

- 12 In paragraph 30 of Schedule 2 to the Gaming Act...
 13 In paragraph 14 of Schedule 9 to the Gaming Act...

SCHEDULE 7 — Administrative Functions of Justices

PART I — AMENDMENTS OF JUSTICES OF THE PEACE ACT 1949

- 1 In section 16 of the Justices of the Peace Act...
 2 (1) In Schedule 4 to that Act, in paragraph 1,...
 3 For paragraph 5 of Schedule 4 to that Act there...

PART II — AMENDMENTS OF PRISON ACT 1952

- 4 (1) In section 6 of the Prison Act 1952, subsection...
 5 In section 43(4) of that Act, in paragraph (a) the...

PART III — AMENDMENTS OF LICENSING ACT 1964

- 6 In section 16(1) of the Licensing Act 1964, in paragraph...
 7 In section 38(e) of that Act the words " for...
 8 (1) In Schedule 3 to that Act, in paragraph 1(1),...

9 (1) In paragraph 12 of Schedule 11 to that Act,...

SCHEDULE 8 — Amendments of other Acts

PART I — GENERAL

Administrative functions of quarter sessions and clerks of the peace

1 (1) Any function of courts of quarter sessions, or of...

General rules of construction

2 (1) In any enactment or other instrument for any reference...

Amendments of local Acts

3 (1) The Lord Chancellor may by order in a statutory...

PART II — MISCELLANEOUS AMENDMENTS

Habeas Corpus Act 1679

4 (1) In section 2 of the Habeas Corpus Act 1679...

Vagrancy Act 1824

5 The Vagrancy Act 1824 shall be amended as follows:—

Law Terms Act 1830

6 In section 32 of the Law Terms Act 1830 (taking...

Parliamentary Documents Deposit Act 1837

7 For any reference in the Parliamentary Documents Deposit Act 1837...

Slave Trade Act 1843

8 In section 4 of the Slave Trade Act 1843 (evidence...

Indictable Offences Act 1848

9 In sections 12, 13 and 14 of the Indictable Offences...

Petty Sessions (Ireland) Act 1851

10 In section 30 of the Petty Sessions (Ireland) Act 1851...

Juries Act 1870

11 In the Schedule to the Juries Act 1870 (persons exempt...

Explosives Act 1875

12 In section 66(1) of the Explosives Act 1875 for "...

Prosecution of Offences Act 1879

13 In section 2 of the Prosecution of Offences Act 1879...

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

Central Criminal Court (Prisons) Act 1881

14 In section 2(5) of the Central Criminal Court (Prisons) Act...

Coroners Act 1887

15 (1) In section 5 of the Coroners Act 1887—

Witnesses (Public Inquiries) Protection Act 1892

16 In section 3 of the Witnesses (Public Inquiries) Protection Act...

Indictments Act 1915

17 (1) In section 2 of the Indictments Act 1915 references...

Judicature Act 1925

18 (1) Section 17 of the Judicature Act 1925 (cases relating...

Criminal Justice Act 1925

19 In section 33(3) of the Criminal Justice Act 1925 (arraignment...

Coroners (Amendment) Act 1926

20 (1) The provisions of this Act about committal for trial...

Petroleum (Consolidation) Act 1928

21 In section 14(a) of the Petroleum (Consolidation) Act 1928 for...

Children and Young Persons Act 1933

22 In section 55(5) of the Children and Young Persons Act...

Local Government Act 1933

23 In section 242(1) of the Local Government Act 1933 (examination...

Criminal Justice Act 1948

24 In the Criminal Justice Act 1948— (a) in all places...

25 In section 8 of that Act, for paragraphs (a) to...

26 (1) In section 14 of that Act, in the proviso...

27 For section 29 of that Act there shall be substituted...

28 (1) In section 37 of that Act, for paragraph (b)...

Legal Aid and Advice Act 1949

29 (1) For paragraph 1(c) of Part I of Schedule 1...

Representation of the People Act 1949

30 (1) For section 115(3) of the Representation of the People...

National Parks and Access to the Countryside Act 1949

31 (1) Section 31(8) of the National Parks and Access to...

Administration of Justice (Pensions) Act 1950

32 In Schedule 1 to the Administration of Justice (Pensions) Act...

Prison Act 1952

33 In section 47(5) of the Prison Act 1952 as amended...

Magistrates' Courts Act 1952

34 (1) The words " the Crown Court" shall be substituted...

County Courts Act 1959

35 (1) In section 31(4) of the County Courts Act 1959...

Highways Act 1959

36 (1) In section 60(2) of the Highways Act 1959 for...

Obscene Publications Act 1959

37 In section 3(5) of the Obscene Publications Act 1959 (time...

Mental Health Act 1959

38 In the Mental Health Act 1959— (a) in all places...

Caravan Sites and Control of Development Act 1960

39 In section 9(2) of the Caravan Sites and Control of...

Administration of Justice Act 1960

40 (1) In section 13(2) of the Administration of Justice Act...

Criminal Justice Act 1961

41 In section 4(2)(a) of the Criminal Justice Act 1961 for...

Licensing Act 1964

42 (1) In section 28(3)(b) of the Licensing Act 1964 after...

Administration of Justice Act 1964

43 (1) For section 13(5) of the Administration of Justice Act...

Judges' Remuneration Act 1965

44 In the Judges' Remuneration Act 1965 after section 1 insert...

Criminal Procedure (Attendance of Witnesses) Act 1965

45 (1) In section 1(1) of the Criminal Procedure (Attendance of...

Criminal Appeal Act 1966

46 In section 1(3) of the Criminal Appeal Act 1966 the...

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

Matrimonial Causes Act 1967

47 In section 7(1) of the Matrimonial Causes Act 1967 for...

Criminal Justice Act 1967

48 In the Criminal Justice Act 1967— (a) in all places...
49 In section 9(5) of that Act, for paragraphs (a) and...
50 In section 16(2) of that Act (exemption from jury service...
51 In section 42 of that Act, in subsection (2), for...
52 For subsection (11) of section 44 of that Act there...
53 (1) In subsection (1) of section 47 of that Act,...
54 (1) In section 54 of that Act, subsection (4) shall...
55 (1) In subsection (8) of section 56 of that Act,...
56 In section 74(3) of that Act for the words "..."

Criminal Appeal Act 1968

57 (1) In the Criminal Appeal Act 1968—

Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968

58 In section 1(4) of the Domestic and Appellate Proceedings
(Restriction...

Children and Young Persons Act 1969

59 (1) In section 3(7) of the Children and Young Persons...

Administration of Justice Act 1970

60 (1) In section 4(2) of the Administration of Justice Act...

SCHEDULE 9 — Quarter Sessions Jurisdiction: Substitution of References to
Crown Court

PART I — APPELLATE JURISDICTION

PART II — ORIGINAL JURISDICTION

SCHEDULE 10 — Transitional Provisions

PART I — CRIMINAL ASSIZE COURTS AND COURTS OF QUARTER SESSIONS

1 (1) Subject to the provisions of this Act, for the...

Part-heard proceedings

2 (1) Any proceeding the hearing of which has begun but...

Costs in criminal cases

3 Nothing in this Act shall affect any order made before...

Records of courts of quarter sessions

4 Before the appointed day the clerk of the peace of...

PART II — COURTS: MISCELLANEOUS

Civil courts of assize

5 (1) Subject to any provision made by rules of court,...

Directions by Lord Chief Justice

- 6 (1) The Lord Chief Justice may if it appears to...
PART III — COUNTY COURT JUDGES
7 Each person who, immediately before the appointed day, held office...
8 Notwithstanding anything in section 20(4) of this Act, the termination...
PART IV — JUDGES, OFFICERS AND STAFF

Continuation of appointments

- 9 (1) The repeals made by this Act shall not affect...

Jury service

- 10 The abolition by this Act of the offices of clerk...

Superannuation etc.

- 11 The repeal by this Act of provisions in Schedule 1...
12 (1) The repeal by this Act of section 10 of...
13 (1) The provisions of this paragraph apply in relation to...
14 (1) Subject to sub-paragraph (2) below, on the abolition under...
15 (1) In relation to any person who, before the day...
16 (1) The Lord Chancellor may, with the concurrence of the...

Seconding of staff from local or other authorities

- 17 (1) This paragraph has effect in order to meet any...

SCHEDULE 11 — Repeals

- PART I — JURIES
PART II — LOCAL COURTS
PART III — COSTS IN CRIMINAL CASES
PART IV — OTHER REPEALS