

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Courts Act 2003, SCHEDULE 4 is up to date with all changes known to be in force on or before 19 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

PROSPECTIVE

^{X1}SCHEDULE 4

Section 65

FURTHER FUNCTIONS CONFERRED ON DISTRICT JUDGES (MAGISTRATES' COURTS)

Editorial Information

- X1** Editorial note: In the absence of an express authority to bring into force Sch. 4 by [The Courts Act 2003 \(Commencement No. 10\) Order 2005 \(S.I. 2005/910\)](#), we have concluded that Sch. 4 is not yet in force (notwithstanding the commencement of s. 65 by art. 3(u) of said Order).

Criminal Justice Act 1967 (c. 80)

- 1 In section 9(5) (requirement for author of written statement to give evidence in person), for “by a puisne judge of the High Court, a Circuit judge or Recorder sitting alone” substitute “by any of the following sitting alone—
- (a) a puisne judge of the High Court;
 - (b) a Circuit judge;
 - (c) a District Judge (Magistrates' Courts);
 - (d) a Recorder.”

Taxes Management Act 1970 (c. 9)

- 2 In—
- (a) section 20D(1)(a) (meaning of “the appropriate judicial authority” in relation to England and Wales), and
 - (b) paragraph 9(2)(a) of Schedule 1AA (sanction for failure to comply with order under section 20BA),
- after “Circuit judge” insert “ or a District Judge (Magistrates' Courts) ”.

Juries Act 1974 (c. 23)

- 3 In section 9B, for subsection (3) (meaning of “the judge” for purposes of discharge of person incapable of acting effectively as juror) substitute—
- “(3) In this section and section 10 “the judge” means—
- (a) a judge of the High Court,
 - (b) a Circuit judge,
 - (c) a District Judge (Magistrates' Courts), or
 - (d) a Recorder.”

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- 4 In section 10 (discharge of summons in case of doubt as to capacity to act effectively as juror) omit “and for this purpose “the judge” means any judge of the High Court or any Circuit judge or Recorder”.

Police and Criminal Evidence Act 1984 (c. 60)

- 5 In section 9(2A) (application of enactments relating to execution of process in Scotland or Northern Ireland to processes issued by a Circuit judge under Schedule 1 to 1984 Act), for “circuit judge” substitute “ judge ”.
- 6 (1) In Schedule 1 (applications for access to excluded or special procedure material) for “circuit judge”, in each place, substitute “ judge ”.
- (2) After paragraph 16 insert—

“Interpretation

- 17 In this Schedule “judge” means a Circuit judge or a District Judge (Magistrates' Courts).”

Computer Misuse Act 1990 (c. 18)

F17

Textual Amendments

- F1** Sch. 4 para. 7 repealed (1.10.2008) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53(1)(b), [Sch. 15 Pt. 4](#); [S.I. 2008/2503](#), [art. 2\(d\)\(ii\)](#)

Data Protection Act 1998 (c. 29)

- 8 In Schedule 9 (powers of entry and inspection) in paragraph 1(1) after “circuit judge” insert “ or a District Judge (Magistrates' Courts) ”.

Terrorism Act 2000 (c. 11)

- 9 In Schedule 5 (terrorist investigations: information)—
- (a) in paragraphs 5(1) and (5), 6(1), 10(1), 11(1), 12(1) and (2) and 13(1), after “Circuit judge” insert “ or a District Judge (Magistrates' Courts) ”, and
- (b) in paragraphs 5(4)(a) and 7(1)(b), after “Circuit judge” insert “ or the District Judge (Magistrates' Courts) ”.

- 10 In Schedule 6 (financial information), in paragraph 3(a), after “Circuit judge” insert “ or a District Judge (Magistrates' Courts) ”.

- 11 In Schedule 6A (account monitoring orders), in paragraph 1(2)(a), for “a Circuit judge,” substitute “ a Circuit judge or a District Judge (Magistrates' Courts), ”.

Regulation of Investigatory Powers Act 2000 (c. 23)

- 12 In Schedule 2 (persons who have the appropriate permission), in paragraph 1(1) (a), after “Circuit judge” insert “ or a District Judge (Magistrates' Courts) ”.

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Freedom of Information Act 2000 (c. 36)

- 13 In Schedule 3 (powers of entry and inspection), in paragraph 1(1), after “Circuit judge” insert “ or a District Judge (Magistrates' Courts) ”.

International Criminal Court Act 2001 (c. 17)

- 14 In Schedule 5 (investigation of proceeds of ICC crime) in paragraphs 1(1) and 8 for “a Circuit judge or, in Northern Ireland, a county court judge” substitute
- “(a) a Circuit judge or a District Judge (Magistrates' Courts), or
 - (b) in Northern Ireland, a county court judge.”.

Armed Forces Act 2001 (c. 19)

- 15 In section 6(2)(a) (applications for access to excluded or special procedure material), for “circuit judges” substitute “ judges ”.

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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](#))