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SCHEDULES

SCHEDULE 9

Section 40

AMENDMENTS RELATING TO JURISDICTION OF THE SUPREME COURT

PART 1

JURISDICTION TRANSFERRED FROM THE HOUSE OF LORDS

British Law Ascertainment Act 1859 (c. 63)

- 1 In the British Law Ascertainment Act 1859—
- (a) in the sidenote to section 4 (Her Majesty in Council or House of Lords on appeal may adopt or reject opinion) for “House of Lords” substitute “Supreme Court”;
 - (b) in that section, for “the House of Lords” and “that House” in each place substitute “the Supreme Court”.

Nautical Assessors (Scotland) Act 1894 (c. 40)

- 2 In section 6 of the Nautical Assessors (Scotland) Act 1894 (calling in nautical assessors to assist) —
- (a) in the sidenote, for “House of Lords” substitute “Supreme Court”;
 - (b) for “House of Lords” in the first place substitute “Supreme Court”; and
 - (c) for “Orders made by the House of Lords” substitute “Supreme Court Rules”.

Administration of Justice (Appeals) Act 1934 (c. 40)

- 3 In the Administration of Justice (Appeals) Act 1934, omit section 1 (restrictions on appeal from Court of Appeal).

National Health Service (Amendment) Act 1949 (c. 93)

- 4 In the National Health Service (Amendment) Act 1949, in section 9 (application of Part 1 to Scotland) in the substituted section 7(9) of the Act, as inserted by subsection (4), for “House of Lords” in each place substitute “Supreme Court”.

Miners' Welfare Act 1952 (c. 23)

- 5 In the Miners' Welfare Act 1952, in section 17 (application to Scotland) in subsection (3) for “House of Lords” substitute “Supreme Court”.

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Army Act 1955 (c. 18)

- 6 In the Army Act 1955, in section 113C (review of sentences by Courts-Martial Appeal Court)—
- (a) in subsection (4)—
 - (i) for “House of Lords for their opinion” substitute “ Supreme Court for its opinion ”;
 - (ii) for “the House shall consider the point and give their opinion” substitute “ the Supreme Court shall consider the point and give its opinion ”;
 - (iii) for the words from “deal with it themselves” to the end of the subsection substitute “ itself deal with the case. ”;
 - (b) in subsection (5) for “the House of Lords” in each place and “that House” substitute “ the Supreme Court ”;
 - (c) in subsections (6) and (7) for “House of Lords” in each place substitute “ Supreme Court ”.

Air Force Act 1955 (c. 19)

- 7 In the Air Force Act 1955, in section 113C (review of sentences by Courts-Martial Appeal Court)—
- (a) in subsection (4)—
 - (i) for “House of Lords for their opinion” substitute “ Supreme Court for its opinion ”;
 - (ii) for “the House shall consider the point and give their opinion” substitute “ the Supreme Court shall consider the point and give its opinion ”;
 - (iii) for the words from “deal with it themselves” to the end of the subsection substitute “ itself deal with the case. ”;
 - (b) in subsection (5) for “the House of Lords” in each place and “that House” substitute “ the Supreme Court ”;
 - (c) in subsections (6) and (7) for “House of Lords” in each place substitute “ Supreme Court ”.

Administration of Justice Act 1956 (c. 46)

- 8 In the Administration of Justice Act 1956, in Schedule 1 (provisions applicable to Northern Ireland) in paragraph 4A for “House of Lords” substitute “ Supreme Court ”.

Geneva Conventions Act 1957 (c. 52)

- 9 In the Geneva Conventions Act 1957, in section 4 (appeals by protected persons) in subsection (1A) for “House of Lords” substitute “ Supreme Court ”.

Naval Discipline Act 1957 (c. 53)

- 10 In the Naval Discipline Act 1957, in section 71AC (review of sentences by Courts-Martial Appeal Court)—
- (a) in subsection (4)—

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- (i) for “House of Lords for their opinion” substitute “ Supreme Court for its opinion ”;
- (ii) for “the House shall consider the point and give their opinion” substitute “ the Supreme Court shall consider the point and give its opinion ”;
- (iii) for the words from “deal with it themselves” to the end of the subsection substitute “ itself deal with the case. ”;
- (b) in subsection (5) for “the House of Lords” in each place and “that House” substitute “ the Supreme Court ”;
- (c) in subsections (6) and (7) for “House of Lords” in each place substitute “ Supreme Court ”.

Agricultural Marketing Act 1958 (c. 47)

- 11 In the Agricultural Marketing Act 1958, in section 12(2) (enforcement of decision of disciplinary committee and power to state case: Scotland), in paragraph (a) for “House of Lords” in each place substitute “ Supreme Court ”.

Caravan Sites and Control of Development Act 1960 (c. 62)

- 12 In the Caravan Sites and Control of Development Act 1960, in section 32 (application of Part 1 to Scotland) in subsection (2) for “House of Lords” in each place substitute “ Supreme Court ”.

Administration of Justice Act 1960 (c. 65)

- 13 (1) The Administration of Justice Act 1960 is amended as follows.
- (2) In section 1 (right of appeal to House of Lords in criminal cases)—
- (a) in subsection (1) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (2) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”;
 - (c) omit subsection (3);
 - (d) in subsections (4) and (5) for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 2 (application for leave to appeal)—
- (a) for “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) for “that House or that court” substitute “ the Supreme Court or the court below ”.
- (4) In section 4 (admission of appellant to bail) in subsection (2) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.
- (5) In sections 5(5) and 6(3) (power to order detention or admission to bail of defendant, and computation of sentence where bail granted) for “House of Lords” substitute “ Supreme Court ”.
- (6) In section 9 (procedure) in subsection (3) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.
- (7) In section 13 (appeal in cases of contempt of court)—
- (a) in subsection (2)(c) for “House of Lords” substitute “ Supreme Court ”;

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- (b) in subsection (4) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.

Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

- 14 In section 2A of the Backing of Warrants (Republic of Ireland) Act 1965 (statement of case by court) for “House of Lords” in each place substitute “ Supreme Court ”.

Commonwealth Secretariat Act 1966 (c. 10)

- 15 In the Commonwealth Secretariat Act 1966, in section 1 (the Commonwealth Secretariat, its privileges and immunities) in subsection (4)(a) for “House of Lords” in each place substitute “ Supreme Court ”.

Criminal Appeal Act 1968 (c. 19)

- 16 (1) The Criminal Appeal Act 1968 is amended as follows.
- (2) In section 30 (restitution of property) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 33 (right of appeal to House of Lords)—
- (a) in the sidenote and subsection (1) for “House of Lords” substitute “ Supreme Court ”;
- (b) in subsection (2) for “the House of Lords” and “that House” substitute in each place “ the Supreme Court ”.
- (4) In section 34 (application for leave to appeal)—
- (a) for “House of Lords” in each place substitute “ Supreme Court ”;
- (b) in subsection (1) for “decision of the Court” substitute “ decision of the Court of Appeal ”;
- (c) in subsection (2) for “that House or the Court” substitute “ the Supreme Court or the Court of Appeal ”.
- (5) In section 35 (hearing and disposal of appeal)—
- (a) omit subsections (1) and (2);
- (b) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.
- (6) In sections 36 and 37 (bail on appeal by defendant, and detention of defendant on appeal by the Crown) for “House of Lords” in each place substitute “ Supreme Court ”.
- (7) In section 38 (presence of defendant at hearing) for “House of Lords” and “House” in each place substitute “ Supreme Court ”.
- (8) In section 43 (effect of appeal on sentence) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.
- (9) In Schedule 4 (procedural and other modifications for capital cases)—
- (a) in the italic heading preceding paragraph 3 for “House of Lords” substitute “ Supreme Court ”;
- (b) in paragraphs 3 and 4 for “the House of Lords” and “the House” in each place substitute “ the Supreme Court ”.

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Courts-Martial (Appeals) Act 1968 (c. 20)

- 17 (1) The Courts-Martial (Appeals) Act 1968 is amended as follows.
- (2) In section 5 (constitution of court for particular sittings) in subsection (3)(b) for “House of Lords” substitute “ Supreme Court ”.
- (3) In sections 39 and 40 (right of appeal, and application for leave to appeal)—
- (a) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”;
- (b) for “the Court” in each place substitute “ the Appeal Court ”.
- (4) In section 41 (hearing and disposal of appeal)—
- (a) omit subsections (1) and (2);
- (b) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.
- (5) In sections 42 and 43 (bail, and detention of accused) for “House of Lords” in each place substitute “ Supreme Court ”, and in section 42 for “the Court” substitute “ the Appeal Court ”.
- (6) In section 44 (presence of accused at hearing)—
- (a) for “the House of Lords” in the first place substitute “ the Supreme Court ”;
- (b) for “an order of the House of Lords authorises” substitute “ Supreme Court Rules authorise ”;
- (c) for “that House” substitute “ the Supreme Court ”.
- (7) In section 45 (effect of repeal on sentence) in subsection (1) for “House of Lords” in each place substitute “ Supreme Court ”.
- (8) In section 46 (restitution of property) for “the House of Lords” and “the House” in each place substitute “ the Supreme Court ”.
- (9) In section 47 (costs) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”, and for “the Court or the House” substitute “ the Appeal Court or the Supreme Court ”.
- (10) In sections 50 and 57 (duties of registrar with respect to appeals etc, and interpretation) for “House of Lords” substitute “ Supreme Court ”.

Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)

- 18 In the Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968, in section 4 (provisions relating to Northern Ireland), in subsection (2) for “House of Lords” substitute “ Supreme Court ”.

Foreign Compensation Act 1969 (c. 20)

- 19 In the Foreign Compensation Act 1969 in section 3 (determinations of the Foreign Compensation Commission and appeals against such determinations) for subsection (8) substitute—

“(8) No appeal shall lie to the Supreme Court from a decision of the Court of Appeal on an appeal under this section.”

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Administration of Justice Act 1969 (c. 58)

- 20 (1) The Administration of Justice Act 1969 is amended as follows.
- (2) Part 2 is renamed “Appeal from High Court to Supreme Court”.
- (3) In section 12 (grant of certificate by trial judge) for “House of Lords” in each place substitute “ Supreme Court ”.
- (4) In section 13 (leave to appeal to House of Lords)—
- (a) in the sidenote and subsection (1) for “House of Lords” in each place substitute “ Supreme Court ”.
 - (b) In subsection (2) for “House of Lords” and “House” in each place substitute “ Supreme Court ”;
 - (c) omit subsection (4).
- (5) Omit section 14 (appeal where leave granted).
- (6) In section 15 (cases excluded from s 12) in subsection (2)(b) for “House of Lords” substitute “ Supreme Court ”.

Taxes Management Act 1970 (c. 9)

- 21 (1) The Taxes Management Act 1970 is amended as follows.
- (2) In section 56 (statement of case for the opinion of the High Court)—
- (a) in subsection (8) for “House of Lords” in the first place substitute “ Supreme Court ”;
 - (b) for subsection (8)(a) substitute—
 - “(a) an appeal to the Supreme Court under this subsection lies only with the permission of the Court of Appeal or the Supreme Court, and”;
 - (c) in subsection (8)(b) and in subsection (10) for “House of Lords” in each place substitute “ Supreme Court ”.
- (3) In section 56A (appeals from the Special Commissioners)—
- (a) in subsections (5) and (6) for “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) for subsection (7) substitute—
 - “(7) An appeal to the Supreme Court under subsection (6) lies only with the permission of the Court of Appeal or the Supreme Court.”;
 - (c) in subsection (10) for “House of Lords” substitute “ Supreme Court ”.
- (4) In section 58 (proceedings in tax cases in Northern Ireland) in subsection (2C) for “House of Lords” substitute “ Supreme Court ”.

Administration of Justice Act 1970 (c. 31)

- 22 In the Administration of Justice Act 1970, in Schedule 9 (enforcement of orders for costs, compensation, etc) in paragraphs 6(c) and 16A for “House of Lords” in each place substitute “ Supreme Court ”.

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Criminal Justice Act 1972 (c. 71)

- 23 In the Criminal Justice Act 1972, in section 36 (reference to Court of Appeal of point of law following acquittal on indictment)—
- (a) in subsection (3) for “the House of Lords” and “that House” in each place substitute “ Supreme Court ”, and for “court that” substitute “ Court of Appeal that ”;
 - (b) in subsection (4)—
 - (i) for “the House of Lords” substitute “ the Supreme Court ”;
 - (ii) for the words from “the House shall consider the point” to the end of the subsection, substitute “ the Supreme Court shall consider the point and give its opinion on it accordingly. ”;
 - (c) in subsection (5) for “House of Lords” substitute “Supreme Court”, and for “the court or the House” substitute “ the Court of Appeal or the Supreme Court ”.

Prosecution of Offences (Northern Ireland) Order 1972 (S.I. 1972/538 (N.I. 1))

- 24 In the Prosecution of Offences (Northern Ireland) Order 1972, in Article 5 (functions of the Director), in paragraph (1)(f) for “House of Lords” substitute “ Supreme Court ”.

Administration of Justice Act 1973 (c. 15)

- 25 In the Administration of Justice Act 1973, in section 18 (payment of interpreters in criminal cases) in subsection (2) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”, and for “the court” substitute “ the High Court ”.

Litigants in Person (Costs and Expenses) Act 1975 (c. 47)

- 26 In the Litigants in Person (Costs and Expenses) Act 1975, in section 1 (costs or expenses recoverable) in subsection (1)(a) and in subsection (2)(a) for “House of Lords” substitute “ Supreme Court ”.

Industry Act 1975 (c. 68)

- 27 In the Industry Act 1975, in Schedule 3 (arbitration) in paragraph 23(2) for “House of Lords” in each place substitute “ Supreme Court ”.

Race Relations Act 1976 (c. 74)

- 28 In the Race Relations Act 1976, in section 57A (claims under section 19B in immigration cases) in subsection (5) at the definition of “immigration appellate body” for “House of Lords” substitute “ Supreme Court ”.

Aircraft and Shipbuilding Industries Act 1977 (c. 3)

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Textual Amendments

F1 Sch. 9 para. 29 omitted (22.3.2013) by virtue of The Public Bodies (Abolition of the Aircraft and Shipbuilding Industries Arbitration Tribunal) Order 2013 (S.I. 2013/686), art. 1(2), Sch. 1 para. 8(4)

Judicature (Northern Ireland) Act 1978 (c. 23)

- 30 (1) The Judicature (Northern Ireland) Act 1978 is amended as follows.
- (2) Part 3 is renamed “The Court of Appeal and the Supreme Court”.
- (3) In section 35 (appeals to Court of Appeal from High Court) in subsection (5) for “House of Lords” substitute “ Supreme Court ”.
- (4) In section 41 (appeals to the House of Lords in other criminal matters)—
 - (a) in the sidenote and in subsection (1) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (2) for “the House of Lords” in each place and “that House” substitute “ the Supreme Court ”;
 - (c) omit subsection (3);
 - (d) in subsections (4) and (6) for “House of Lords” substitute “ Supreme Court ”.
- (5) In section 42 (appeals to the House of Lords in civil cases)—
 - (a) in the sidenote and in subsections (1) and (2) for “House of Lords” substitute “ Supreme Court ”;
 - (b) omit subsections (3), (4) and (5).
- (6) In section 43 (appeals to House of Lords from High Court) and in the sidenote for that section, for “House of Lords” in each place substitute “ Supreme Court ”.
- (7) In section 44 (appeal in cases of contempt of court)—
 - (a) in subsection (2)(b) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (4) for “the House of Lords” and for “that House” substitute “ the Supreme Court ”.
- (8) In Schedule 1 (appeals to House of Lords in certain criminal matters)—
 - (a) in the title to the Schedule, for “House of Lords” substitute “ Supreme Court ”;
 - (b) in paragraphs 1 and 3 to 5 for “the House of Lords” and “that House” in each place substitute “the Supreme Court”, and in paragraph 1(2) for “that court” substitute “ the court below ”;
 - (c) in paragraph 6—
 - (i) for “an order of the House of Lords” substitute “ Supreme Court Rules ”;
 - (ii) for “that House” substitute “ the Supreme Court ”.

Estate Agents Act 1979 (c. 38)

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Textual Amendments

- F2** Sch. 9 para. 31 repealed (1.9.2009) by [The Transfer of Functions \(Estate Agents Appeals and Additional Scheduled Tribunal\) Order 2009 \(S.I. 2009/1836\)](#), art. 5(2), [Sch. 2](#) (with Sch. 3)

Solicitors (Scotland) Act 1980 (c. 46)

- 32 (1) The Solicitors (Scotland) Act 1980 is amended as follows.
- (2) In section 20(2)(a) (duty of Council of Law Society of Scotland to supply lists of solicitors holding practising certificates), for sub-paragraph (ii) substitute—
“(ii) the Supreme Court;”.
- (3) In section 25A (rights of audience)—
- (a) in the sidenote and in each of subsections (1)(a) and (4), for “House of Lords” substitute “ Supreme Court ”; and
 - (b) in subsection (4) omit the words “and the Judicial Committee of the Privy Council” where they last occur.

Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

- 33 (1) The Criminal Appeal (Northern Ireland) Act 1980 is amended as follows.
- (2) In section 31 (right of appeal to House of Lords)—
- (a) in subsection (1) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (2) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.
- (3) In section 32 (application for leave to appeal) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”.
- (4) In section 33 (hearing and disposal of appeal)—
- (a) omit subsections (1) and (2);
 - (b) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.
- (5) In section 34 (further reference to House of Lords)—
- (a) in the sidenote, for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (1) for “the House of Lords” and “that House” substitute “ the Supreme Court ”;
 - (c) in subsection (2)—
 - (i) for “the House of Lords” and “the House” in each place substitute “ the Supreme Court ”;
 - (ii) for “the House's” substitute “ the Supreme Court's ”;
 - (d) in subsection (3)—
 - (i) for “the House of Lords” in the first place and “the House” substitute “ the Supreme Court ”;
 - (ii) for the words from “by such officer” to “House of Lords” substitute “ under Supreme Court Rules ”.
- (6) In section 36 (detention of defendant pending appeal by Crown) for “House of Lords” in each place substitute “ Supreme Court ”.

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- (7) In section 37 (legal aid), in subsection (3) for the words from “by the House of Lords” to “order of that House” substitute “ under Supreme Court Rules ”.
- (8) In section 38 (presence of defendant at hearing)—
 - (a) for “an order of the House of Lords” substitute “ Supreme Court Rules ”;
 - (b) for “that House” substitute “ the Supreme Court ”.
- (9) In section 39 (computation of sentence) in subsection (2) for “House of Lords” substitute “ Supreme Court ”.
- (10) In section 40 (restitution of property) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”.
- (11) In section 41 (costs) for “the House of Lords” and “the House” in each place substitute “ the Supreme Court ”.
- (12) In section 42 (taxation of costs)—
 - (a) in subsection (2)—
 - (i) for “the House of Lords” in the first place substitute “ the Supreme Court ”;
 - (ii) for the words from “by such officer” to “House of Lords” substitute “ under Supreme Court Rules ”;
 - (b) in subsection (3) for “the House of Lords” substitute “ the Supreme Court ”.
- (13) In Schedule 3 (procedural and other modifications for capital cases) in paragraph 3 and in the italic heading preceding that paragraph for “House of Lords” substitute “ Supreme Court ”.

Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)

- 34 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, in Group A of Part 1, for paragraph (a) substitute—
- “(a) Justices of the Supreme Court or the President or Deputy President of that Court;”.

Contempt of Court Act 1981 (c. 49)

- 35 (1) The Contempt of Court Act 1981 is amended as follows.
- (2) In section 16 (enforcement of fines imposed by certain superior courts) in subsection (4) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In section 19 (interpretation) in the definition of “Scottish proceedings” for “House of Lords” substitute “ Supreme Court ”, and in the definition of “superior court” after “means”, insert “ the Supreme Court ”, and omit the words from “and includes” to the end.

Supreme Court Act 1981 (c. 54)

- 36 (1) The Supreme Court Act 1981 is amended as follows.
- (2) In section 9 (assistance for transaction of judicial business) in subsection (6A) for “House of Lords” substitute “ Supreme Court ”.

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- (3) In section 16 (appeals from High Court) in subsection (1) for “House of Lords” substitute “ Supreme Court ”.
- (4) In section 28A (proceedings on case stated) in subsection (4) for “House of Lords” substitute “ Supreme Court ”.
- (5) In sections 54(5) and 55(4)(b) (court of civil and court of criminal division) for “House of Lords” substitute “ Supreme Court ”.
- (6) In section 58 (calling into question of incidental decisions), in subsection (2) for “House of Lords” substitute “ Supreme Court ”.

Wildlife and Countryside Act 1981 (c. 69)

- 37 In the Wildlife and Countryside Act 1981, in section 31 (restoration) in subsection (2) for “the House of Lords”, “that House” and “the House” in each case substitute “ the Supreme Court ”.

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))

- 38 In the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, in paragraph 1(a) of Part I of Schedule 1 (proceedings for which legal aid may be given) for “House of Lords” substitute “ Supreme Court ”.

Civil Jurisdiction and Judgments Act 1982 (c. 27)

- 39 In the Civil Jurisdiction and Judgments Act 1982, in section 6 (appeals under the Lugano Convention)—
- (a) in subsection (1)(a) for “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) in subsection (2) for “the House of Lords” and “that House” substitute “ the Supreme Court ”.

Mental Health (Scotland) Act 1984 (c. 36)

- 40 In section 66A(4) of the Mental Health (Scotland) Act 1984 (appeal to Court of Session against certain decisions of sheriff), for “House of Lords” in each place substitute “ Supreme Court ”.

Prosecution of Offences Act 1985 (c. 23)

- 41 (1) The Prosecution of Offences Act 1985 is amended as follows.
- (2) In section 3 (functions of the Director), in subsection (2)(f)(ii) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In sections 16(5), 17(1)(b), and 18(2)(b) (payment of prosecution costs, defendant's costs orders, and award of costs on dismissal of appeal or application) for “House of Lords” in each place substitute “ Supreme Court ”.
 - (4) In section 20 (regulations) at subsection (8)(b) for “House of Lords” substitute “ Supreme Court ”.

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Transport Act 1985 (c. 67)

- 42 (1) The Transport Act 1985 is amended as follows.
- (2) [^{F3}In section 9 (appeals against traffic regulation conditions) in subsection (9) for “House of Lords” in each place substitute “ Supreme Court ”.]
- (3) In Schedule 4 (consultation, powers and proceedings of the Transport Tribunal), in paragraph 14(7) for “House of Lords” substitute “ Supreme Court ”, and for “that Court” substitute “ the Court of Appeal or Court of Session (as the case may be) ”.

Textual Amendments

- F3** Sch. 9 para. 42(2) repealed (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), ss. 131, 134, [Sch. 7 Pt. 3](#); S.I. 2009/107, [art. 2\(1\)](#), [Sch. 1 Pt. 1](#)

Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73)

- 43 In section 22(1) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (re-employment of retired judges)—
- (a) after paragraph (a) insert—
- “(aa) has held office as a Justice of the Supreme Court or as President or Deputy President of that Court and who, at the time of being appointed to the office in question, was eligible for appointment as a judge in the Court of Session;”;
- (b) omit the words “, in either case,”.

Insolvency Act 1986 (c. 45)

- 44 In the Insolvency Act 1986, in section 277(3)(b) (petition based on criminal bankruptcy order)—
- (a) for “House of Lords” substitute “ Supreme Court ”;
- (b) for the words from “section 40(5)” to the end of the section substitute “subsection (4).”
- (4) For the purposes of subsection (3)(b) an appeal to the Supreme Court shall be treated as pending until any application for leave to appeal is disposed of and, if leave to appeal is granted, until the appeal is disposed of; and for the purposes of this subsection an application for leave to appeal shall be treated as disposed of at the expiration of the time within which it may be made, if it is not made within that time.”

Legal Aid (Scotland) Act 1986 (c. 47)

- 45 In the Legal Aid (Scotland) Act 1986, in Part 1 of Schedule 2 (courts in which civil legal aid is available), for “House of Lords” substitute “ Supreme Court ”.

Criminal Justice Act 1987 (c. 38)

- 46 In the Criminal Justice Act 1987, in section 11 (restrictions on reporting)—

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- (a) in subsection (5)(c) for “House of Lords” substitute “ Supreme Court ”;
- (b) in subsection (6)—
 - (i) for “The House of Lords” substitute “ The Supreme Court ”;
 - (ii) for “that House” substitute “ the Supreme Court ”;
- (c) in subsections (7) and (8) for “House of Lords” in each place substitute “ Supreme Court ”.

Income and Corporation Taxes Act 1988 (c. 1)

- 47 (1) The Income and Corporation Taxes Act 1988 is amended as follows.
- (2) In section 705A (statement of case by tribunal)—
- (a) in subsection (8) for “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) in subsection (9)—
 - (i) for “House of Lords” substitute “ Supreme Court ”;
 - (ii) for the words from “unless leave has been given” to the end of the subsection substitute “ except with the leave of the Court of Appeal or of the Supreme Court. ”;
 - (c) in subsection (12) for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 705B (proceedings in Northern Ireland), in subsection (2) for “House of Lords” substitute “ Supreme Court ”.

Criminal Justice Act 1988 (c. 33)

- 48 (1) The Criminal Justice Act 1988 is amended as follows.
- (2) In section 36 (reviews of sentencing)—
- (a) in subsection (5)—
 - (i) for “the House of Lords for their opinion” substitute “ the Supreme Court for its opinion ”;
 - (ii) for “the House shall consider the point and give their opinion” substitute “ the Supreme Court shall consider the point and give its opinion ”;
 - (iii) for the words from “deal with it themselves” to the end of the subsection substitute “ itself deal with the case. ”;
 - (b) in subsection (6) for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”;
 - (c) in subsection (7) for “House of Lords” substitute “ Supreme Court ”.
- (3) In Schedule 3 (reviews of sentencing_supplementary)—
- (a) in paragraphs 4 and 5 for the words “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) in paragraph 9 for “the House of Lords” and “the House” in each place substitute “ the Supreme Court ”;
 - (c) in paragraph 10 for “House of Lords” substitute “ Supreme Court ”;
 - (d) in paragraph 11—
 - (i) for “the House of Lords” in the first place substitute “ the Supreme Court ”;

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- (ii) for “the Court or the House” substitute “ the Court of Appeal or the Supreme Court ”;
- (iii) for “such officer as may be prescribed by order of the House of Lords” substitute “ under Supreme Court Rules ”.

Court of Session Act 1988 (c. 36)

- 49 (1) The Court of Session Act 1988 is amended as follows.
- (2) In section 24 (appeals in exchequer cases), in the sidenote and in subsection (1), for “House of Lords” substitute “ Supreme Court ”.
 - (3) In section 27(5) (special cases), for “House of Lords” substitute “ Supreme Court ”.
 - (4) In section 32(5) (appeals from sheriff on matters of law only), for “House of Lords” substitute “ Supreme Court ”.
 - (5) In the heading before section 40, for “House of Lords” substitute “ Supreme Court ”.
 - (6) In section 40 (appealable interlocutors)—
 - (a) in subsection (1), for “House of Lords” in each place substitute “ Supreme Court ”;
 - (b) in subsection (2)—
 - (i) for “the Court” in each place substitute “ the Inner House ”; and
 - (ii) for “House of Lords” in each place substitute “ Supreme Court ”; and
 - (c) in each of subsections (3) and (4), for “House of Lords” substitute “ Supreme Court ”.
 - (7) In section 41 (interim possession, execution and expenses), in subsections (1) and (2), for “House of Lords” in each place substitute “ Supreme Court ”.
 - (8) In section 42 (order on payment of interest) and in its sidenote, for “House of Lords” substitute “ Supreme Court ”.
 - (9) In section 43 (interest and expenses where appeal dismissed for want of prosecution), for “House of Lords” substitute “ Supreme Court ”.
 - (10) In section 52(3) (appeals relating to estate duty), for “House of Lords” substitute “ Supreme Court ”.

Road Traffic Offenders Act 1988 (c. 53)

- 50 In the Road Traffic Offenders Act 1988, in section 40 (power of appellate courts in England and Wales to suspend disqualification) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (S.I. 1988/1846 (N.I. 16))

- 51 In the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988, in Article 10 (restrictions on reporting)—
- (a) in paragraph (5)(c), for “House of Lords” substitute “ Supreme Court ”;
 - (b) in paragraph (6), for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”;

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- (c) in paragraphs (7) and (8), for “House of Lords” in each place substitute “ Supreme Court ”.

Extradition Act 1989 (c. 33)

- 52 In section 10 of the Extradition Act 1989 (statement of case by court) for “House of Lords” in each place substitute “ Supreme Court ”.

New Roads and Street Works Act 1991 (c. 22)

- 53 In the New Roads and Street Works Act 1991, in section 158 (arbitration) in subsections (2) and (3) for “House of Lords” in each place substitute “ Supreme Court ”.

Child Support Act 1991 (c. 48)

- 54 In the Child Support Act 1991, in section 28ZC (restrictions on liability in certain cases of error) in subsection (6) in the definition of “the court”, for “House of Lords” substitute “ Supreme Court ”.

Water Resources Act 1991 (c. 57)

- 55 In the Water Resources Act 1991, in Schedule 14 (orders transferring main river functions) in paragraph 5(3), and in Schedule 16 (schemes imposing special drainage charges) in paragraph 8(3), for “House of Lords” in each place substitute “ Supreme Court ”.

Land Drainage Act 1991 (c. 59)

- 56 In the Land Drainage Act 1991, in Schedule 3 (procedure with respect to certain orders), in paragraph 7(3) for “House of Lords” substitute “ Supreme Court ”.

Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23))

- 57 In the Child Support (Northern Ireland) Order 1991, in Article 28ZC (restrictions on liability in certain cases of error) in paragraph (6) in the definition of “the court”, for “House of Lords” substitute “ Supreme Court ”.

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

- 58 In the Social Security Administration (Northern Ireland) Act 1992, in section 66 (restrictions on entitlement to benefit in certain cases of error) in subsection (4) in the definition of “the court” for “House of Lords” substitute “ Supreme Court ”.

Tribunals and Inquiries Act 1992 (c. 53)

- 59 In the Tribunals and Inquiries Act 1992, in section 11 (appeals from certain tribunals) in subsection (7)(d) for “House of Lords” in each place substitute “ Supreme Court ”.

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Arbitration Act 1996 (c. 23)

- 60 In the Arbitration Act 1996, in Schedule 2 (modifications of Part 1 in relation to judge-arbitrators) in paragraph 2(2) for “House of Lords” substitute “ Supreme Court ”.

Criminal Procedure and Investigations Act 1996 (c. 25)

- 61 (1) The Criminal Procedure and Investigations Act 1996 is amended as follows.
- (2) In section 36 (appeals to the House of Lords), in sidenote for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 37 (restrictions on reporting)—
- (a) in subsection (4)(c), for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (5), for “the House of Lords” and “that House” in each place substitute “ the Supreme Court ”;
 - (c) in subsections (6) and (7), for “House of Lords” substitute “ Supreme Court ”.

Proceeds of Crime (Northern Ireland) Order 1996 (S.I. 1996/1299 (N.I. 9))

- 62 In the Proceeds of Crime (Northern Ireland) Order 1996, in paragraph (6)(b) of Article 13 (application of procedure for enforcing fines) for “House of Lords” substitute “ Supreme Court ”.

Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10))

- 63 In the Road Traffic Offenders (Northern Ireland) Order 1996, in Article 45 (power of appellate courts in Northern Ireland to suspend disqualification) in paragraph (3) for “House of Lords” substitute “ Supreme Court ”.

Social Security Act 1998 (c. 14)

- 64 In the Social Security Act 1998, in section 27 (restrictions on entitlement to benefit in certain cases of error), in subsection (7) in the definition of “the court” for “House of Lords” substitute “ Supreme Court ”.

Competition Act 1998 (c. 41)

- 65 (1) The Competition Act 1998 is amended as follows.
- (2) In section 38 (the appropriate level of a penalty) for subsection (10)(d) substitute—
- “(d) the Supreme Court.”
- (3) In section 47A (monetary claims before Tribunal) in subsection (7)(d) for “House of Lords” substitute “ Supreme Court ”.
- (4) In section 58A (findings of infringements) in subsection (4)(c) for “House of Lords” substitute “ Supreme Court ”.
- (5) In Schedule 13 (transitional provisions and savings) in paragraph 10 for sub-paragraph (6)(e) substitute—
- “(e) the Supreme Court.”

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Human Rights Act 1998 (c. 42)

- 66 (1) The Human Rights Act 1998 is amended as follows.
- (2) In section 4 (declaration of incompatibility) in subsection (5) for paragraph (a) substitute—
- “(a) the Supreme Court;”.
- (3) In section 5 (right of Crown to intervene) in subsections (4) and (5) for “House of Lords” in each case substitute “ Supreme Court ”.
- (4) In section 6 (acts of public authorities) omit subsection (4).

Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))

- 67 In the Social Security (Northern Ireland) Order 1998, in Article 27 (restriction of entitlement to benefit in certain cases of error), in paragraph (7) in the definition of “the court” for “House of Lords” substitute “ Supreme Court ”.

Access to Justice Act 1999 (c. 22)

- 68 (1) The Access to Justice Act 1999 is amended as follows.
- (2) In section 57 (assignment of appeals to Court of Appeal) in subsection (1) for “House of Lords” substitute “Supreme Court”.
- ^{F4}(3)

Textual Amendments

F4 Sch. 9 para. 68(3) repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 69 In the Powers of Criminal Courts (Sentencing) Act 2000, in sections 132(4) and 139(9), and in subsections (4) and (5) of section 140 (compensation order on restoration of conviction, powers and duties of Crown Court in relation to fines, and enforcement of fines imposed), for “House of Lords” in each case substitute “ Supreme Court ”.

^{F5} ...

Textual Amendments

F5 Sch. 9 para. 70 and cross-heading repealed (1.4.2013) by [Financial Services Act 2012 \(c. 21\)](#), s. 122(3), [Sch. 19](#) (with [Sch. 20](#)); S.I. 2013/423, art. 3, [Sch.](#)

^{F5}70

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Terrorism Act 2000 (c. 11)

- 71 In the Terrorism Act 2000, in section 6 (further appeal) in subsection (3) for “House of Lords” substitute “ Supreme Court ”.

Child Support, Pensions and Social Security Act 2000 (c. 19)

- 72 In the Child Support, Pensions and Social Security Act 2000, in Schedule 7 (housing benefit and council tax benefit: revisions and appeals), for paragraph 18(6)(d) substitute—

“(d) the Supreme Court; or”.

Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11)

- 73 In section 2(2) of the Regulation of Investigatory Powers (Scotland) Act 2000 (persons appointed to be Surveillance Commissioners), for “Appellate Jurisdiction Act 1876” substitute “ Constitutional Reform Act 2005 ”.

Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))

- 74 In the Child Support, Pensions and Social Security Act (Northern Ireland) 2000, in Schedule 7 (housing benefit: revisions and appeals), for paragraph 18(6)(c) substitute—

“(c) the Supreme Court; or”.

International Criminal Court Act 2001 (c. 17)

- 75 In the International Criminal Court Act 2001, in section 9 (appeal against refusal of delivery order: England and Wales) for “House of Lords” in each place substitute “ Supreme Court ”.

Armed Forces Act 2001 (c. 19)

- 76 In the Armed Forces Act 2001, in section 30 (conditional release from custody) in subsection (2)(b) for “House of Lords” substitute “ Supreme Court ”.

Proceeds of Crime Act 2002 (c. 29)

- 77 (1) The Proceeds of Crime Act 2002 is amended as follows.
- (2) In section 33 (appeal to House of Lords) in the sidenote and in subsections (1) and (3) to (5) for “House of Lords” in each place substitute “ Supreme Court ”.
- (3) In each of sections 44 and 66 (appeal to House of Lords) in the sidenote and subsections (1) and (3) for “House of Lords” in each place substitute “ Supreme Court ”.
- (4) In section 85 (proceedings) in subsection (6) for “House of Lords” in each place substitute “ Supreme Court ”.
- (5) In section 90 (procedure on appeal to the House of Lords) in sidenote and in subsections (1) and (2) for “House of Lords” in each place substitute “ Supreme Court ”.

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- (6) In section 183 (appeal to House of Lords) in sidenote and in subsections (1) and (3) to (5) for “House of Lords” in each place substitute “ Supreme Court ”.
- (7) In each of sections 193 and 214 (appeal to House of Lords), in the sidenote and in subsections (1) and (3) for “House of Lords” in each place substitute “ Supreme Court ”.
- (8) In section 233 (proceedings) in subsection (6) for “House of Lords” in each place substitute “ Supreme Court ”.
- (9) In section 238 (procedure on appeal to the House of Lords) and in the sidenote for that section, for “House of Lords” in each place substitute “ Supreme Court ”.

Licensing Act 2003 (c. 17)

- 78 In the Licensing Act 2003, in section 130 (powers of appellate court to suspend order under section 129), in subsection (4) for “House of Lords” substitute “ Supreme Court ”.

Crime (International Co-operation) Act 2003 (c. 32)

- 79 In the Crime (International Co-operation) Act 2003, in sections 60(4) and 62(4) (suspension of disqualification) for “House of Lords” substitute “ Supreme Court ”.

Courts Act 2003 (c. 39)

- 80 (1) The Courts Act 2003 is amended as follows.
- (2) In section 88 (extension of time for criminal appeals)—
- (a) in the sidenote and in subsections (1) and (4) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (5)(b) for “Court” substitute “ Court of Appeal ”;
 - (c) in subsection (6) in the inserted section 34(1A)(b) of the Criminal Appeal Act 1968 for “Court” substitute “ Court of Appeal ”.
- (3) In section 91 (extension of time for appeals from Courts-Martial Appeals Court)—
- (a) in subsection (1) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (2)(b) for “Court” substitute “ Appeal Court ”;
 - (c) in subsection (3) in the inserted section 40(1A)(b) of the Courts-Martial (Appeals) Act 1968 for “Court” substitute “ Appeal Court ”.

Extradition Act 2003 (c. 41)

- 81 (1) The Extradition Act 2003 is amended as follows.
- (2) In section 32 (appeal to House of Lords) in the sidenote and in subsections (1), (3), (4)(b), (6) and (8)(b) for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 114 (appeal to House of Lords) in the sidenote and in subsections (1), (3), (4)(b), (6), and (8)(b) for “House of Lords” substitute “ Supreme Court ”.
- (4) In each of the following provisions for “House of Lords” in each place substitute “ Supreme Court ”
- (a) section 30 (detention pending conclusion of appeal under section 28);

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- (b) section 33 (powers on an appeal) and the sidenote to that section;
 - [^{F6}(ba) section 33A (detention pending conclusion of certain appeals under section 32);]
 - (c) section 36 (extradition following appeal);
 - (d) section 43 (withdrawal of warrant while appeal pending) and the sidenote to that section;
 - (e) section 60 (costs);
 - (f) section 61 (costs where discharge ordered);
 - (g) section 107 (detention pending conclusion of appeal under section 105);
 - (h) section 112 (detention pending conclusion of appeal under section 110);
 - (i) section 115 (powers on appeal under section 114) and the sidenote to that section;
 - [^{F7}(ia) section 115A (detention pending conclusion of certain appeals under section 114);]
 - (j) section 118 (extradition following appeal);
 - (k) section 125 (withdrawal of request while appeal pending) and the sidenote to that section;
 - (l) section 133 (costs where extradition ordered);
 - (m) section 134 (costs where discharge ordered);
 - (n) section 184 (grant of free legal aid: Northern Ireland);
 - (o) section 208 (national security);
 - (p) section 213 (disposal of Part 1 warrant and extradition request);
 - (q) section 214 (disposal of charge).
- (5) In section 185 (free legal aid: supplementary)—
- (a) in subsection (4) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (5) for the words from “allowed by” to the end substitute “ by the Supreme Court or under Supreme Court Rules. ”

Textual Amendments

- F6** Sch. 9 para. 81(4)(ba) inserted (15.1.2006) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53, [Sch. 13 para. 35\(a\)](#); S.I. 2006/3364, [art. 2\(e\)](#)
- F7** Sch. 9 para. 81(4)(ia) inserted (15.1.2006) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53, [Sch. 13 para. 35\(b\)](#); S.I. 2006/3364, [art. 2\(e\)](#)

Criminal Justice Act 2003 (c. 44)

- 82 (1) The Criminal Justice Act 2003 is amended as follows.
- (2) In section 50 (application of Part 7 to Northern Ireland)—
- (a) in subsection (8) in the substituted section 47(6) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (14), in the new subsection (3B) of section 41 of the Criminal Procedure and Investigations Act 1996 as inserted by subsection (4) of section 48A (reporting restrictions) for “House of Lords” substitute “ Supreme Court ” and for “that House” in each place substitute “ the Supreme Court ”;

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- (c) in subsection (14), in subsections (5) and (6) of section 48A for “House of Lords” substitute “ Supreme Court ”.
- (3) In section 71 (restrictions on reporting)—
 - (a) in subsection (3) for “House of Lords” substitute “ Supreme Court ”;
 - (b) in subsection (4) for “House of Lords” substitute “ Supreme Court ” and for “that House” in each place substitute “ the Supreme Court ”;
 - (c) in subsections (5) and (6) for “House of Lords are” substitute “ Supreme Court is ”.
- (4) In section 81 (appeals), in subsection (2) in the inserted section 33(1B) of the Criminal Appeal Act 1968 and the words before it, for “House of Lords” substitute “ Supreme Court ”.
- (5) In section 274 (further provision about transferred life prisoners) for “House of Lords” in each place substitute “ Supreme Court ”.
- (6) In Schedule 22 (mandatory life sentences) in paragraph 14(2), (4) and (5) for “House of Lords” substitute “ Supreme Court ”.

Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)

- 83 In section 323(2)(a) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (suspension of decision of Mental Health Tribunal for Scotland until expiry of time allowed to appeal), for “House of Lords” in each place substitute “ Supreme Court ”.

Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))

- 84 In the Access to Justice (Northern Ireland) Order 2003, in Schedule 2 (civil legal services: excluded services) in paragraph 2(a)(i) for “House of Lords” substitute “ Supreme Court ”.

PART 2

DEVOLUTION JURISDICTION

Legal Aid (Scotland) Act 1986 (c. 47)

- 85 (1) The Legal Aid (Scotland) Act 1986 is amended as follows.
- (2) In section 21(1)(c) (scope and nature of criminal legal aid), for “Judicial Committee of the Privy Council” substitute “ Supreme Court ”.
 - (3) In section 25AB (legal aid in references, appeals or applications for special leave to appeal), in the sidenote and in subsection (1), for “Judicial Committee of the Privy Council” substitute “ Supreme Court ”.
 - (4) In Part 1 of Schedule 2 (courts in which civil legal aid is available), in paragraph 1 for “Judicial Committee of the Privy Council” substitute “ Supreme Court ”.

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Criminal Procedure (Scotland) Act 1995 (c. 46)

- 86 In section 288B of the Criminal Procedure (Scotland) Act 1995 (appeal against a determination of a devolution issue)—
 - (a) in the sidenote and in subsection (1), for “Judicial Committee of the Privy Council” substitute “ Supreme Court ”; and
 - (b) in subsection (3), for “Judicial Committee” substitute “ Supreme Court ”.

Government of Wales Act 1998 (c. 38)

PROSPECTIVE

87 F8

Textual Amendments

F8 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by [The Government Wales Act 2006 \(c. 32\)](#) s. 163, {Sch. 12} (with Sch. 11 para. 22)

PROSPECTIVE

88 F9

Textual Amendments

F9 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by [The Government Wales Act 2006 \(c. 32\)](#) s. 163, {Sch. 12} (with Sch. 11 para. 22)

PROSPECTIVE

89 F10

Textual Amendments

F10 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by [The Government Wales Act 2006 \(c. 32\)](#) s. 163, {Sch. 12} (with Sch. 11 para. 22)

PROSPECTIVE

90 F11

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

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Textual Amendments

F11 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by The Government Wales Act 2006 (c. 32) s. 163, {Sch. 12} (with Sch. 11 para. 22)

PROSPECTIVE

91 **F12**

Textual Amendments

F12 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by The Government Wales Act 2006 (c. 32) s. 163, {Sch. 12} (with Sch. 11 para. 22)

PROSPECTIVE

92 **F13**

Textual Amendments

F13 Sch. 9 para. 87-92 repealed (coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(c)(d)(5) of the amending Act) by The Government Wales Act 2006 (c. 32) s. 163, {Sch. 12} (with Sch. 11 para. 22)

Scotland Act 1998 (c. 46)

- 93 The Scotland Act 1998 is amended as follows.
- 94 In section 15 (disqualification from membership of the Parliament) in subsection (1) omit paragraph (c).
- 95 In section 32 (submission of Bills for Royal Assent)—
 - (a) in subsection (2)(b) for “Judicial Committee” substitute “ Supreme Court ”;
 - (b) in subsection (3)(a) for “Judicial Committee have” substitute “ Supreme Court has ”;
 - (c) in subsection (4) omit the definition of “Judicial Committee”.
- 96 (1) In the sidenote to section 33 (scrutiny of Bills by the Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
- (2) In subsection (1) of that section for “Judicial Committee” substitute “ Supreme Court ”.
- F14**97

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

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Textual Amendments

F14 Sch. 9 para. 97 repealed (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), reg. 1(3), [Sch.](#) (with reg. 9(2))

- 98 In section 35 (power of Secretary of State to intervene in certain cases), in subsection (3)(c) for “Judicial Committee” substitute “ Supreme Court ”.
- 99 In section 36 (stages of Bills), in subsection (4) for “Judicial Committee decide” substitute “ Supreme Court decides ”.
- 100 In section 95 (appointment and removal of judges)—
- (a) for subsection (9)(b) substitute—
 - “(b) for the appointment to chair the tribunal of a member of the Judicial Committee of the Privy Council who holds or has held high judicial office.”;
 - (b) in subsection (11), before the definition of “provision” insert—
 - ““high judicial office” has the meaning given by section 60 of the Constitutional Reform Act 2005.”.
- 101 Omit section 103 (proceedings before the Judicial Committee).
- 102 In section 127 (index of defined expressions) omit the entry for “Judicial Committee”.
- 103 (1) Part 2 of Schedule 6 (proceedings in Scotland on devolution issues) is amended as follows.
- (2) In paragraph 7 (references to Inner House of Court of Session) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In the heading before paragraph 10 (references from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (4) In paragraph 10 (references from Court of Session) for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 11 (references from High Court of Justiciary) for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In the heading before paragraph 12 (appeals from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (7) In paragraph 12 (appeal from Inner House of Court of Session) for “Judicial Committee” substitute “ Supreme Court ”.
 - (8) In paragraph 13 (other appeals from superior courts)—
 - (a) for “House of Lords” substitute “ Supreme Court apart from this paragraph ”;
 - (b) for “Judicial Committee” in each place substitute “ Supreme Court ”;
 - (c) for “leave” in the first two places substitute “ permission ”;
 - (d) for “concerned” substitute “ from which the appeal lies ”;
 - (e) for “special leave” substitute “ permission ”.
- 104 (1) Part 3 of Schedule 6 (proceedings in England and Wales on devolution issues) is amended as follows.

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- (2) In paragraph 19 (reference in civil proceedings), in sub-paragraph (2)(a) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In paragraph 21 (reference in criminal proceedings), for “House of Lords” substitute “ Supreme Court ”.
 - (4) In the heading before paragraph 22 (references from Court of Appeal to Judicial Committee), for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 22, for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In the heading before paragraph 23 (appeals from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (7) In paragraph 23—
 - (a) for “Judicial Committee” in each place substitute “ Supreme Court ”;
 - (b) for “leave” in the first two places substitute “ permission ”;
 - (c) for “special leave” substitute “ permission ”.
- 105 (1) Part 4 of Schedule 6 (proceedings in Northern Ireland on devolution issues) is amended as follows.
- (2) In paragraph 28 (reference to Court of Appeal) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In the heading before paragraph 30 (references from Court of Appeal to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (4) In paragraph 30 for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In the heading before paragraph 31 (appeals from Court of Appeal to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In paragraph 31—
 - (a) for “Judicial Committee” in each place substitute “ Supreme Court ”;
 - (b) for “leave” in the first two places substitute “ permission ”;
 - (c) for “special leave” substitute “ permission ”.
- 106 (1) Part 5 of Schedule 6 (devolution issues: general) is amended as follows.
- (2) Omit paragraph 32 (proceedings in the House of Lords) and the heading before it.
 - (3) In the heading before paragraph 33 (direct references to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (4) In paragraph 33 (law officer requiring court to refer devolution issue) for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 34 (law officer referring devolution issues) for “Judicial Committee” substitute “ Supreme Court ”.
- 107 In Schedule 7 (procedure for subordinate legislation), in the table under paragraph 1(2) omit the entry relating to section 103(3)(a) and (b).

Northern Ireland Act 1998 (c. 47)

- 108 The Northern Ireland Act 1998 is amended as follows.

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- 109 (1) In the sidenote to section 11 (scrutiny of Bills by the Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
- (2) In subsection (1) of that section for “Judicial Committee” substitute “ Supreme Court ”.
- (3) In subsection (4) of that section—
- (a) for “Judicial Committee decide” substitute “ Supreme Court decides ”;
- (b) for “their decision” substitute “ its decision ”.

^{F15}110

Textual Amendments

F15 Sch. 9 para. 110 repealed (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1447), reg. 1(3), **Sch.** (with reg. 9(2))

- 111 In section 13 (stages of Bills), in subsection (5)(a) for “Judicial Committee decide” substitute “ Supreme Court decides ”.
- 112 In section 14 (submission by Secretary of State of Bills for Royal Assent)—
- (a) in subsection (2)(b) for “Judicial Committee” substitute “ Supreme Court ”;
- (b) in subsection (3)(a) for “Judicial Committee have” substitute “ Supreme Court has ”.
- 113 Omit section 82 (proceedings before the Judicial Committee).
- 114 In section 98 (interpretation), in subsection (1) omit the entry for “Judicial Committee”.
- 115 (1) Part 2 of Schedule 10 (proceedings in Northern Ireland on devolution issues) is amended as follows.
- (2) In paragraph 7 (reference to Court of Appeal) for “House of Lords” substitute “ Supreme Court ”.
- (3) In the heading before paragraph 9 (references from Court of Appeal to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
- (4) In paragraph 9 for “Judicial Committee” substitute “ Supreme Court ”.
- (5) In the heading before paragraph 10 (appeals from Court of Appeal to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
- (6) In paragraph 10—
- (a) for “Judicial Committee” in each place substitute “ Supreme Court ”;
- (b) for “leave” in the first two places substitute “ permission ”;
- (c) for “special leave” substitute “ permission ”.
- 116 (1) Part 3 of Schedule 10 (proceedings in England and Wales on devolution issues) is amended as follows.
- (2) In paragraph 16 (reference in civil proceedings), in sub-paragraph (2)(a) for “House of Lords” substitute “ Supreme Court ”.
- (3) In paragraph 18 (reference in criminal proceedings) for “House of Lords” substitute “ Supreme Court ”.

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- (4) In the heading before paragraph 19 (references from Court of Appeal to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 19 for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In the heading before paragraph 20 (appeals from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (7) In paragraph 20—
 - (a) for “Judicial Committee” in each place substitute “ Supreme Court ”;
 - (b) for “leave” in the first two places substitute “ permission ”;
 - (c) for “special leave” substitute “ permission ”.
- 117 (1) Part 4 of Schedule 10 (proceedings in Scotland on devolution issues) is amended as follows.
- (2) In paragraph 25 (references to Inner House of Court of Session) for “House of Lords” substitute “ Supreme Court ”.
 - (3) In the heading before paragraph 28 (references from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (4) In paragraph 28 (references from Court of Session) for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 29 (references from High Court of Justiciary) for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In the heading before paragraph 30 (appeals from superior courts to Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (7) In paragraph 30 (appeal from Inner House of Court of Session) for “Judicial Committee” substitute “ Supreme Court ”.
 - (8) In paragraph 31 (appeal from other superior courts)—
 - (a) for “House of Lords” substitute “ Supreme Court apart from this paragraph ”;
 - (b) for “Judicial Committee” in each place substitute “ Supreme Court ”;
 - (c) for “leave” in the first two places substitute “ permission ”;
 - (d) for “special leave” substitute “ permission ”.
- 118 (1) Part 5 of Schedule 10 (devolution issues: general) is amended as follows.
- (2) Omit paragraph 32 (proceedings in the House of Lords) and the heading before it.
 - (3) In the heading before paragraph 33 (direct references to the Judicial Committee) for “Judicial Committee” substitute “ Supreme Court ”.
 - (4) In paragraph 33 (law officers etc requiring court to refer devolution issue) for “Judicial Committee” substitute “ Supreme Court ”.
 - (5) In paragraph 34 (law officers etc referring devolution issue) for “Judicial Committee” substitute “ Supreme Court ”.
 - (6) In paragraph 39 (bail and legal aid in criminal proceedings), in sub-paragraphs (2) to (4)—
 - (a) for “Court” in each place substitute “ Court of Appeal ”;
 - (b) for “Judicial Committee” and “Committee” substitute “ Supreme Court ”.

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- 119 In paragraph 40 (application of paragraph 39 in particular circumstances), in subparagraphs (a) and (b)—
- (a) for “Judicial Committee” and “Committee” in each place substitute “Supreme Court”;
 - (b) for “Court” substitute “ Court of Appeal ”.

Status:

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Changes to legislation:

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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\(10\)\(b\)](#)