
STATUTORY INSTRUMENTS

2005 No. 910

The Courts Act 2003 (Commencement No. 10) Order 2005

Commencement of Provisions of the Courts Act 2003

3. The following provisions of the Courts Act 2003 come into force on the 1st April 2005 –
- (a) section 1 (The general duty);
 - (b) sections 2 and 3 (Court staff and accommodation);
 - (c) section 5 (Functions of courts boards);
 - (d) section 6 to the extent not already in force (Abolition of magistrates' courts committees, etc.);
 - (e) sections 7 and 8 (The commission of the peace and local justice areas);
 - (f) sections 9 to 16 (Lay justices);
 - (g) sections 17 and 18 (Chairman and deputy chairmen and the bench);
 - (h) sections 19 to 21 (Supplementary provisions about the bench);
 - (i) sections 22 to 26 (District Judges (Magistrates' Courts));
 - (j) sections 27 to 29 (Justices' clerks and assistant clerks);
 - (k) section 30 (Places, dates and times of sittings);
 - (l) sections 31 to 35 (Protection and indemnification of justices and justices' clerks);
 - (m) sections 36 and 37 (Fines officers and designated officers);
 - (n) sections 38 to 40 (Application of receipts of magistrates' courts etc.);
 - (o) sections 41 (Miscellaneous);
 - (p) sections 43 to 46 and Schedule 3 (Criminal jurisdiction and procedure);
 - (q) sections 47 and 48 (Civil jurisdiction and procedure);
 - (r) sections 49, 50(1) and (4) (Family proceedings and youth courts);
 - (s) sections 51 to 57 (Court security);
 - (t) sections 58 to 61 (Inspectors of court administration);
 - (u) section 65 (District Judges (Magistrates' Courts) as Crown Court judges etc.);
 - (v) sections 88 to 91 (Provisions relating to criminal procedure and appeals and Courts-Martial Appeal Court procedure and appeals);
 - (w) sections 100 and 101 (Periodical payments);
 - (x) section 105 (Extension of time for criminal appeals to House of Lords: Northern Ireland);
 - (y) Schedule 8 (Minor and consequential amendments) in so far as it is not already in force, with the exception of the following–
 - (i) paragraph 91(2) (Maintenance Orders Act 1950(1));

- (ii) paragraph 242 (Magistrates' Courts Act 1980⁽²⁾);
- (iii) paragraph 245(1) and 245(2) (Magistrates' Courts Act 1980) to the extent that it creates an exception in relation to “family proceedings”;
- (iv) paragraph 245(1) and 245(3) to the extent that it omits the reference to “the President of the Family Division of the High Court” from section 144(2) of the Magistrates' Court Act 1980;
- (v) paragraph 254 (Magistrates' Courts Act 1980);
- (vi) paragraph 272 (County Courts Act 1984⁽³⁾);
- (vii) paragraph 278(a) (Matrimonial and Family Proceedings Act 1984⁽⁴⁾);
- (viii) paragraph 337 (Children Act 1989⁽⁵⁾);
- (ix) paragraph 349 (Courts and Legal Services Act 1990⁽⁶⁾);
- (z) Schedule 9 (Transitional provisions) in so far as it is not already in force, with the exception of paragraph 16;
- (aa) Schedule 10 (Repeals) in so far as it is not already in force, with the exception of the following repeals–
 - (i) the repeal of section 25(1) of the Maintenance Orders Act 1950;
 - (ii) the repeal of sections 137 and 138 of, and Schedule 6 and paragraph 8 of Schedule 7 to, the Magistrates' Courts Act 1980;
 - (iii) the repeal of the reference to “the President of the Family Division of the High Court” in section 144(2) of the Magistrates' Courts Act 1980;
 - (iv) the repeal of sections 73 and 73A of the County Courts Act 1984;
 - (v) the repeal of section 40 of the Matrimonial and Family Proceedings Act 1984;
 - (vi) the repeal of section 97(7)(a) of the Children Act 1989;
 - (vii) the repeal of paragraph 50 of Schedule 18 to the Courts and Legal Services Act 1990;
 - (viii) the repeal of paragraph 11(2) of Schedule 2 to the Maintenance Enforcement Act 1991⁽⁷⁾;
 - (ix) the repeal of section 2(6) to (8) of, and paragraph 3 of Schedule 2 to, the Civil Procedure Act 1997⁽⁸⁾;
- (bb) section 109(1), (2) and (3) to the extent necessary for those amendments and repeals.

(2) 1980 c. 43.
(3) 1984 c. 28.
(4) 1984 c. 42.
(5) 1989 c. 41.
(6) 1990 c. 41.
(7) 1991 c. 17.
(8) 1997 c. 12.