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MAGNA CARTA (1215)

JOHN, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

KNOW THAT BEFORE GOD, for the health of our soul and those of our ancestors and heirs, to the honour of God, the exaltation of the holy Church, and the better ordering of our kingdom, at the advice of our reverend fathers Stephen, archbishop of Canterbury, primate of all England, and cardinal of the holy Roman Church, Henry archbishop of Dublin, William bishop of London, Peter bishop of Winchester, Jocelin bishop of Bath and Glastonbury, Hugh bishop of Lincoln, Walter Bishop of Worcester, William bishop of Coventry, Benedict bishop of Rochester, Master Pandulf subdeacon and member of the papal household, Brother Aymeric master of the knighthood of the Temple in England, William Marshal earl of Pembroke, William earl of Salisbury, William earl of Warren, William earl of Arundel, Alan de Galloway constable of Scotland, Warin Fitz Gerald, Peter Fitz Herbert, Hubert de Burgh seneschal of Poitou, Hugh de Neville, Matthew Fitz Herbert, Thomas Basset, Alan Basset, Philip Daubeny, Robert de Roppeley, John Marshal, John Fitz Hugh, and other loyal subjects:

- (1) FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. That we wish this so to be observed, appears from the fact that of our own free will, before the outbreak of the present dispute between us and our barons, we granted and confirmed by charter the freedom of the Church's elections – a right reckoned to be of the greatest necessity and importance to it – and caused this to be confirmed by Pope Innocent III. This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.
TO ALL FREE MEN OF OUR KINGDOM we have also granted, for us and our heirs for ever, all the liberties written out below, to have and to keep for them and their heirs,
- (12) No "scutage" or "aid" may be levied in our kingdom without its general consent, unless it is for the ransom of our person, to make our eldest son a knight, and (once) to marry our eldest daughter. For these purposes only a reasonable "aid" may be levied. "Aids" from the city of London are to be treated similarly.
- (13) The city of London shall enjoy all its ancient liberties and free customs, both by land and by water. We also will and grant that all other cities, boroughs, towns, and ports shall enjoy all their liberties and free customs.
- (14) To obtain the general consent of the realm for the assessment of an "aid" – except in the three cases specified above – or a "scutage", we will cause the archbishops, bishops, abbots, earls, and greater barons to be summoned individually by letter. To those who hold lands directly of us we will cause a general summons to be issued, through the sheriffs and other officials, to come together on a fixed day (of which at least forty days notice shall be given) and at a fixed place. In all letters of summons, the cause of the summons will be stated. When a summons has been issued, the business appointed for the day shall go forward in accordance with the resolution of those present, even if not all those who were summoned have appeared.
- (15) In future we will allow no one to levy an "aid" from his free men, except to ransom his person, to make his eldest son a knight, and (once) to marry his eldest daughter. For these purposes only a reasonable "aid" may be levied.
- (16) No man shall be forced to perform more service for a knight's "fee", or other free holding of land, than is due from it.
- (17) Ordinary lawsuits shall not follow the royal court around, but shall be held in a fixed place.
- (20) For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood. In the same way, a merchant shall be spared his merchandise, and a villein the implements of his husbandry, if they fall upon the mercy of a royal court. None of these fines shall be imposed except by the assessment on oath of reputable men of the neighbourhood.
- (21) Earls and barons shall be fined only by their equals, and in proportion to the gravity of their offence.
- (23) No town or person shall be forced to build bridges over rivers except those with an ancient obligation to do so.
- (24) No sheriff, constable, coroners, or other royal officials are to hold lawsuits that should be held by the royal justices.

- (28) No constable or other royal official shall take corn or other movable goods from any man without immediate payment, unless the seller voluntarily offers postponement of this.
- (30) No sheriff, royal official, or other person shall take horses or carts for transport from any free man, without his consent.
- (31) Neither we nor any royal official will take wood for our castle, or for any other purpose, without the consent of the owner.
- (35) There shall be standard measures of wine, ale, and corn (the London quarter), throughout the kingdom. There shall also be a standard width of dyed cloth, russet, and haberject, namely two ells within the selvedges. Weights are to be standardised similarly.
- (38) In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.
- (39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.
- (40) To no one will we sell, to no one deny or delay right or justice.
- (45) We will appoint as justices, constables, sheriffs, or other officials, only men that know the law of the realm and are minded to keep it well.
- (54) No one shall be arrested or imprisoned on the appeal of a woman for the death of any person except her husband.

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THE BILL OF RIGHTS (1688) **(1 Will. & Mar. sess 2, c. 2)**

An Act declaring the Rights and Liberties of the Subject and Settling the Succession of the Crowne

Whereas the lords spirituall and temporall and comons assembled at Westminster lawfully fully and freely representing all estates of the people of this realme did upon the thirteenth day of February in the year of our Lord one thousand six hundred eighty eight present unto their Majesties then called and known by the names and stile of William and Mary Prince and Princesse of Orange being present in their proper persons a certaine declaration in writeing made by the said lords and comons in the words following viz

Whereas the late King James the Second by the assistance of diverse evill councillors judges and ministers employed by him did endeavour to subvert and extirpate the Protestant religion and the lawes and liberties of this kingdome

By assumeing and exercising a power of dispensing with and suspending of lawes and the execution of lawes without consent of Parlyament.

By committing and prosecuting diverse worthy prelates for humbly petitioning to be excused from concurring to the said assumed power.

By issueing and causeing to be executed a commission under the great seale for erecting a court called the court of commissioners for ecclesiasticall causes.

By levying money for and to the use of the Crowne by pretence of prerogative for other time and in other manner then the same was granted by Parlyament.

By raising and keeping a standing army within this kingdome in time of peace without consent of Parlyament and quartering soldiers contrary to law.

By causing severall good subjects being protestants to be disarmed at the same time when papists were both armed and employed contrary to law.

By violating the freedome of election of members to serve in Parlyament.

By prosecutions in the Court of King's Bench for matters and causes cognizable onely in Parlyament and by diverse other arbitrary and illegall courses.

And whereas of late yeares partiall corrupt and unqualified persons have beene returned and served on juryes in tryalls and particularly diverse jurors in tryalls for high treason which were not freeholders.

And excessive baile hath beene required of persons committed in criminall cases to elude the benefitt of the lawes made for the liberty of the subjects.

And excessive fines have beene imposed.

And illegall and cruell punishments inflicted.

And severall grants and promises made of fines and forfeitures before any conviction or judgement against the persons upon whome the same were to be levied.

All which are utterly and directly contrary to the knowne lawes and statutes and freedome of the realme.

And whereas the said late King James the Second haveing abdicated the government and the throne being thereby vacant his Highnesse the Prince of Orange (whome it hath pleased Almighty God to make the glorious instrument of delivering this kingdome from popery and arbitrary power) did (by the advice of the lords spirituall and temporall and diverse principall persons of the commons) cause letters to be written to the lords spirituall and temporall being protestants and other letters to the severall countyes cities universities boroughs and cinque ports for the choosing of such persons to represent them as were of right to be sent to Parlyament to meete and sitt at Westminster upon the two and twentyeth day of January in this yeare one thousand six hundred eighty and eight in order to such an establishment as that their religion lawes and liberties might not againe be in danger of being subverted, upon which letters elections haveing beene accordingly made.

And thereupon the said lords spirituall and temporall and commons pursuant to their respective letters and elections being now assembled in a full and free representative of this nation taking into their most serious consideration the best meanes for attaining the ends aforesaid doe in the first place (as their auncestors in like case have usually done) for the vindicating and asserting their auint rights and liberties, declare

That the pretended power of suspending of laws or the execution of laws by regall authority without consent of Parlyament is illegal.

That the pretended power of dispensing with laws or the execution of laws by regall authoritie as it hath beene assumed and exercised of late is illegal.

That the commission for erecting the late court of commissioners for ecclesiasticall causes and all other commissions and courts of like nature are illegal and pernicious.

That levying money for or to the use of the Crowne by pretence of prerogative without grant of Parlyament for longer time or in other manner than the same is or shall be granted is illegal.

That it is the right of the subjects to petition the King and all commitments and prosecutions for such petitioning are illegal.

That the raising or keeping a standing army within the kingdome in time of peace unlesse it be with consent of Parlyament is against law.

That the subjects which are protestants may have arms for their defence suitable to their conditions and as allowed by law.

That election of members of Parlyament ought to be free.

That the freedome of speech and debates or proceedings in Parlyament ought not to be impeached or questioned in any court or place out of Parlyament.

That excessive baile ought not to be required nor excessive fines imposed nor cruell and unusuall punishments inflicted.

That jurors ought to be duly impannelled and returned.

That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.

And that for redresse of all grievances and for the amending strengthening and preserving of the lawes Parlyaments ought to be held frequently.

And they doe claime demand and insist upon all and singular the premises as their undoubted rights and liberties and that noe declarations judgements doeings or proceedings to the prejudice of the people in any of the said premisses ought in any wise to be drawne hereafter into consequence or example. To which demand of their rights they are particularly encouraged by the declaration of his Highnesse the Prince of Orange as being the only meanes for obtaining a full redresse and remedy therein. Haveing therefore an intire confidence that his said Highnesse the Prince of Orange will perfect the deliverance soe farr advanced by him and will still preserve them from the violation of their rights which they have here asserted and from all other attempts upon their religion rights and liberties.

The said lords spirituall and temporall and commons assembled at Westminster doe resolve that William and Mary Prince and Princesse of Orange be and be declared King and Queene of England France and Ireland and the dominions thereunto belonging to hold the crowne and royall dignity of the said kingdomes and dominions to them the said prince and princesse dureing their lives and the life of the survivour of them. And that the sole and full exercise of the regall power be onely in and executed by the said Prince of Orange in the names of the said prince and princesse dureing their joynt lives and after their deceases the said crowne and royall dignitie of the said kingdoms and dominions to be to the heires of the body of the said princesse and for default of such issue to the Princesse Anne of

Denmarke and the heires of her body and for default of such issue to the heires of the body of the said Prince of Orange.

And the lords spirituall and temporall and commons doe pray the said prince and princesse to accept the same accordingly. And that the oathes hereafter mentioned be taken by all persons of whome the oathes of allegiance and supremacy might be required by law instead of them and that the said oathes of allegiance and supremacy be abrogated.

I A B doe sincerely promise and sweare that I will be faithfull and beare true allegiance to their Majestyes King William and Queen Mary

Soe helpe me God

I A B doe sweare that I doe from my heart abhor, detest and abjure as impious and hereticall this damnable doctrine and position that princes excommunicated or deprived by the Pope or any authority of the see of Rome may be deposed or murdered by their subjects or any other whatsoever. And I doe declare that noe forreigne prince person prelate, state or potentate hath or ought to have any jurisdiction power superiority preeminence or authoritie ecclesiasticall or spirituall within this realme.

Soe help me God

Upon which their said Majestyes did accept the crowne and royall dignitie of the kingdoms of England France and Ireland and the dominions thereunto belonging according to the resolution and desire of the said lords and commons contained in the said declaration. And thereupon their Majestyes were pleased that the said lords spirituall and temporall and commons being the two Houses of Parlyament should continue to sitt and with their Majesties royall concurrence make effectuall provision for the settlement of the religion lawes and liberties of this kingdome soe that the same for the future might not be in danger againe of being subverted, to which the said lords spirituall and temporall and commons did agree and proceede to act accordingly.

Now in pursuance of the premises the said lords spirituall and temporall and commons in Parlyament assembled for the ratifying confirming and establishing the said declaration and the articles clauses matters and things therein contained by the force of a law made in due forme by authority of Parlyament doe pray that it may be declared and enacted that all and singular the rights and liberties asserted and claimed in the said declaration are the true auintient and indubitable rights and liberties of the people of this kingdome and soe shall be esteemed allowed adjudged deemed and taken to be and that all and every the particulars aforesaid shall be firmly and strictly holden and observed as they are expressed in the said declaration. And all officers and ministers whatsoever shall serve their Majestyes and their successors according to the same in all times to come. And the said lords spirituall and temporall and commons seriously considering how it hath pleased Almighty God in his marvellous providence and mercifull goodness to this nation to provide and preserve their said Majestyes royall persons most happily to raigne over us upon the throne of their auncestors for which they render unto him from the bottome of their hearts their humblest thanks and praises doe truely firmly assuredly and in the sincerity of their hearts thinke and doe hereby recognize acknowledge and declare that King James the Second haveing abdicated the government and their Majestyes having accepted the crowne and royall dignity as aforesaid their said Majestyes did become were are and of right ought to be by the lawes of the realme our soveraigne liege lord and lady King and Queene of England France and Ireland and the dominions thereunto belonging in and to whose princely persons the royall state crowne and dignity of the said realmes with all honours stiles titles regalities prerogatives powers jurisdictions and authorities to the same belonging and appertaining are most fully and rightfully and intirely invested and incorporated united and annexed.

And for preventing all questions and divisions in this realme by reason of any pretended titles to the crowne and for preserveing a certainty in the succession thereof in and upon which the unity peace tranquillity and safety of this nation doth under God wholly consist and depend the said lords spirituall and temporall and commons doe beseech their Majestyes that it may be enacted established and declared that the crowne and regall government of the said kingdoms and dominions with all and singular the premisses thereunto belonging and appertaining shall bee and continue to their said Majestyes and the survivour of them dureing their lives and the life of the survivour of them and that the entire perfect and full exercise of the regall power and government be onely in and executed by his Majestie in the names of both their Majestyes dureing their joynt lives and after their deceases the said crowne and premisses shall be and remaine to the heires of the body of her Majestie and for default of such issue to her royall Highnesse the Princess Anne of Denmarke and the heires of her body and for default of such issue to the heires of the body of his said Majestie And thereunto the said lords spirituall and temporall and commons doe in the name of all the people aforesaid most humbly and faithfully submitt themselves their heires and posterities for ever and doe faithfully promise that they will stand

to maintaine and defend their said Majesties and alsoe the limitation and succession of the crowne herein specified and contained to the utmost of their powers with their lives and estates against all persons whatsoever that shall attempt any thing to the contrary.

And whereas it hath beene found by experience that it is inconsistent with the safety and welfare of this protestant kingdome to be governed by a popish prince or by any King or Queene marrying a papist the said lords spirituall and temporall and commons doe further pray that it may be enacted that all and every person and persons that is are or shall be reconciled to or shall hold communion with the see or church of Rome or shall professe the popish religion or shall marry a papist shall be excluded and be for ever uncapeable to inherit possesse or enjoy the crowne and government of this realme and Ireland and the dominions thereunto belonging or any part of the same or to have use or exercise any regall power authoritie or jurisdiction within the same And in all and every such case or cases the people of these realmes shall be and are hereby absolved of their allegiance and the said crowne and government shall from time to time descend to and be enjoyed by such person or persons being protestants as should have inherited and enjoyed the same in case the said person or persons soe reconciled holding communion or professing or marrying as aforesaid were naturally dead.

And that every King and Queene of this realme who at any time hereafter shall come to and succede in the imperiall crowne of this kingdome shall on the first day of the meeting of the first Parlyament next after his or her comeing to the crowne sitting in his or her throne in the House of Peeres in the presence of the lords and commons therein assembled or at his or her coronation before such person or persons who shall administer the coronation oath to him or her at the time of his or her takeing the said oath (which shall first happen) make subscribe and audibly repeate the declaration mentioned in the Statute made in the thirtyeth yeare of the raigne of King Charles the Second entituled An Act for the more effectuall preserveing the Kings person and government by disableing papists from sitting in either House of Parlyament.

But if it shall happen that such King or Queene upon his or her succession to the crowne of this realme shall be under the age of twelve yeares then every such King or Queene shall make subscribe and audibly repeate the said declaration at his or her coronation or the first day of the meeting of the first Parlyament as aforesaid which shall first happen after such King or Queene shall have attained the said age of twelve years. All which their Majestyes are contented and pleased shall be declared enacted and established by authoritie of this present Parliament and shall stand remaine and be the law of this realme for ever And the same are by their said Majesties by and with the advice and consent of the lords spirituall and temporall and commons in Parlyament assembled and by the authoritie of the same declared enacted and established accordingly.

2 Non obstantes made void

Noe dispensation by non obstante of or to any statute or any part thereof shall be allowed but the same shall be held void and of noe effect except a dispensation be allowed of in such statute.

THE ACT OF SETTLEMENT (1700) (12 & 13 Will. 3, c. 2)

An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the Subject

Whereas in the first year of the reign of your Majesty and of our late most gracious soverign lady Queen Mary (of blessed memory) an Act of Parliament was made intituled (An Act for declaring the rights and liberties of the subject and for settling the succession of the crown) wherein it was (amongst other things) enacted established and declared that the crown and regall government of the kingdoms of England France and Ireland and the dominions thereunto belonging should be and continue to your Majestie and the said late Queen during the joynt lives of your Majesty and the said Queen and to the survivor and that after the decease of your Majesty and of the said Queen the said crown and regall government should be and remain to the heirs of the body of the said late Queen and for default of such issue to her royall Highness the Princess Ann of Denmark and the heirs of her body and for default of such issue to the heirs of the body of your Majesty And it was thereby further enacted that all and every person and persons that then were or afterwards should be reconciled to or shall hold communion with the see or church of Rome or should professe the popish religion or marry a papist should be excluded and are by that Act made for ever incapable to inherit possess or enjoy the crown and government of this realm and Ireland and the dominions thereunto belonging or any part of the same or to have use or exercise any regall power authority or jurisdiction within the same and in all and every such case and cases the

people of these realms shall be and are thereby absolved of their allegiance and that the said crown and government shall from time to time descend to and be enjoyed by such person or persons being protestants as should have inherited and enjoyed the same in case the said person or persons so reconciled holding communion professing or marrying as aforesaid were naturally dead After the making of which Statute and the settlement therein contained your Majesties good subjects who were restored to the full and free possession and enjoyment of their religion rights and liberties by the providence of God giving success to your Majesties just undertakings and unwearied endeavours for that purpose had no greater temporall felicity to hope or wish for than to see a royall progeny descending from your Majesty to whom (under God) they owe their tranquility and whose ancestors have for many years been principall assertors of the reformed religion and the liberties of Europe and from our said most gracious sovereign lady whose memory will always be precious to the subjects of these realms And it having since pleased Almighty God to take away our said sovereign lady and also the most hopefull Prince William Duke of Gloucester (the only surviving issue of her royall Highness the Princess Ann of Denmark) to the unspeakable grief and sorrow of your Majesty and your said good subjects who under such losses being sensibly put in mind that it standeth wholly in the pleasure of Almighty God to prolong the lives of your Majesty and of her royall Highness and to grant to your Majesty or to her royall Highness such issue as may be inheritable to the crown and regall government aforesaid by the respective limitations in the said recited Act contained doe constantly implore the divine mercy for those blessings And your Majesties said subjects having daily experience of your royall care and concern for the present and future welfare of these kingdoms and particularly recommending from your throne a further provision to be made for the succession of the crown in the protestant line for the happiness of the nation and the security of our religion and it being absolutely necessary for the safety peace and quiet of this realm to obviate all doubts and contentions in the same by reason of any pretended titles to the crown and to maintain a certainty in the succession thereof to which your subjects may safely have recourse for their protection in case the limitations in the said recited Act should determine Therefore for a further provision of the succession of the crown in the protestant line we your Majesties most dutifull and loyal subjects the lords spirituall and temporall and commons in this present Parliament assembled do beseech your Majesty that it may be enacted and declared and be it enacted and declared by the Kings most excellent Majesty by and with the advice and consent of the lords spirituall and temporall and commons in this present Parliament assembled and by the authority of the same.

1 The Princess Sophia, Electress and Duchess dowager of Hanover, daughter of the late Queen of Bohemia, daughter of King James the First, to inherit after the King and the Princess Anne, in default of issue of the said princess and his Majesty, respectively; and the heirs of her body, being protestants

That the most excellent Princess Sophia Electress and Dutchess dowager of Hanover daughter of the most excellent Princess Elizabeth late Queen of Bohemia daughter of our late sovereign lord King James the First of happy memory be and is hereby declared to be the next in succession in the protestant line to the imperiall crown and dignity of the said realms of England France and Ireland with the dominions and territories thereunto belonging after his Majesty and the Princess Ann of Denmark and in default of issue of the said Princess Ann and of his Majesty respectively and that from and after the deceases of his said Majesty our own soveriegn lord and of her royall Highness the Princess Ann of Denmark and for default of issue of the said Princess Ann and of his Majesty respectively the crown and regall government of the said kingdoms of England France and Ireland and of the dominions thereunto belonging with the royall state and dignity of the said realms and all honours stiles titles regalities prerogatives powers jurisdictions and authorities to the same belonging and appertaining shall be remain and continue to the said most excellent Princess Sophia and the heirs of her body being protestants And thereunto the said lords spirituall and temporall and commons shall and will in the name of all the people of this realm most humbly and faithfully submit themselves their heirs and posterities and do faithfully promise that after the deceases of his Majesty and her royall Highness and the failure of the heirs of their respective bodies to stand to maintain and defend the said Princess Sophia and the heirs of her body being protestants according to the limitation and succession of the crown in this Act specified and contained to the utmost of their powers with their lives and estates against all persons whatsoever that shall attempt any thing to the contrary.

2 The persons inheritable by this Act, holding communion with the church of Rome, incapacitated as by the former Act; to take the oath at their coronation, according to Stat 1 W & M c. 6

Provided always and it is hereby enacted that all and every person and persons who shall or may take or inherit the said crown by virtue of the limitation of this present Act and is are or shall be reconciled to or shall hold communion with the see or church of Rome or shall profess the popish religion or shall marry a papist shall be subject to such incapacities as in such case or cases are by the said recited Act provided enacted and established. And that every King and Queen of this realm who shall come to and succeed in the imperiall crown of this kingdom by virtue of this Act shall have the coronation oath administered to him her or them at their respective coronations according to the Act of Parliament made in the first year of the reign of his Majesty and the said late Queen Mary intituled An Act for establishing the coronation oath and shall make subscribe and repeat the declaration in the Act first above recited mentioned or referred to in the manner and form thereby prescribed.

3 Further provisions for securing the religions, laws, and liberties of these realms

And whereas it is requisite and necessary that some further provision be made for securing our religion laws and liberties from and after the death of his Majesty and the Princess Ann of Denmark and in default of issue of the body of the said princess and of his Majesty respectively Be it enacted by the Kings most excellent Majesty by and with the advice and consent of the lords spirituall and temporall and commons in Parliament and by the authority of the same

That whosoever shall hereafter come to the possession of this crown shall joyn in communion with the Church of England as by law established

That in case the crown and imperiall dignity of this realm shall hereafter come to any person not being a native of this kingdom of England this nation be not obliged to ingage in any warr for the defence of any dominions or territories which do not belong to the crown of England without the consent of Parliament.

That after the said limitation shall take effect as aforesaid no person born out of the kingdoms of England Scotland or Ireland or the dominions thereunto belonging (although he be made a denizen (except such as are born of English parents)) shall be capable to be of the privy councill or a member of either House of Parliament or to enjoy any office or place of trust either civill or military or to have any grant of lands tenements or hereditaments from the Crown to himself or to any other or others in trust for him.

That no pardon under the great seal of England be pleadable to an impeachment by the commons in Parliament.

4 The laws and statutes of the realm confirmed

And whereas the laws of England are the birthright of the people thereof and all the Kings and Queens who shall ascend the throne of this realm ought to administer the government of the same according to the said laws and all their officers and ministers ought to serve them respectively according to the same The said lords spirituall and temporall and commons do therefore further humbly pray that all the laws and statutes of this realm for securing the established religion and the rights and liberties of the people thereof and all other laws and statutes of the same now in force may be ratified and confirmed And the same are by his Majesty by and with the advice and consent of the said lords spirituall and temporall and commons and by authority of the same ratified and confirmed accordingly.

**UNION WITH SCOTLAND ACT 1706
(6 Anne, c. 11)**

An Act for an Union of the Two Kingdoms of England and Scotland

Most Gracious Sovereign
Whereas articles of union were agreed on the twenty second day of July in the fifth year of your Majesties reign by the commissioners nominated on behalf of the kingdom of England under your Majesties great seal of England bearing date at Westminster the tenth day of April then last past in pursuance of an Act of Parliament made in England in the third year of your Majesties reign and the commissioners nominated on the behalf of the kingdom of Scotland under your Majesties great seal of

Scotland bearing date the twenty-seventh day of February in the fourth year of your Majesties reign in pursuance of the fourth Act of the third session of the present Parliament of Scotland to treat of and concerning an union of the said kingdoms And whereas an Act hath passed in the Parliament of Scotland at Edinburgh the sixteenth day of January in the fifth year of your Majesties reign wherein 'tis mentioned that the estates of Parliament considering the said articles of union of the two kingdoms had agreed to and approved of the said articles of union with some additions and explanations and that your Majesty with advice and consent of the estates of Parliament for establishing the Protestant religion and Presbyterian Church government within the kingdom of Scotland had passed in the same session of Parliament an Act intituled Act for securing of the Protestant religion and Presbyterian Church government which by the tenor thereof was appointed to be inserted in any Act ratifying the treaty and expressly declared to be a fundamental and essential condition of the said treaty or union in all times coming the tenor of which articles as ratified and approved of with additions and explanations by the said Act of Parliament of Scotland follows.

Article I

That the two kingdoms of England and Scotland shall upon the first day of May which shall be in the year one thousand seven hundred and seven and for ever after be united into one kingdom by the name of Great Britain and that the ensigns armorial of the said United Kingdom be such as her Majesty shall appoint and the crosses of St. George and St. Andrew be conjoyned in such manner as Her Majesty shall think fit and used in all flags banners standards and ensigns both at sea and land.

Article II

That the succession to the monarchy of the United Kingdom of Great Britain and of the dominions thereto belonging after her most sacred Majesty and in default of issue of her Majesty be remain and continue to the most excellent Princess Sophia Electoress and Dutchess dowager of Hanover and the heirs of her body being protestants upon whom the crown of England is settled by an Act of Parliament made in England in the twelfth year of the reign of his late Majesty King William the Third intituled An Act for the further limitation of the crown and better securing the right and liberties of the subject And that all papists and persons marrying papists shall be excluded from and for ever incapable to inherit possess or enjoy the imperial crown of Great Britain and the dominions thereunto belonging or any part thereof and in every such case the crown and government shall from time to time descend to and be enjoyed by such person being a protestant as should have inherited and enjoyed the same in case such papist or person marrying a papist was naturally dead according to the provision for the descent of the crown of England made by another Act of Parliament in England in the first year of the reign of their late Majesties King William and Queen Mary intituled An Act declaring the rights and liberties of the subject and settling the succession of the crown.

Article III

That the United Kingdom of Great Britain be represented by one and the same Parliament to be stiled the Parliament of Great Britain.

Article IIII

That all the subjects of the United Kingdom of Great Britain shall from and after the union have full freedom and intercourse of trade and navigation to and from any port or place within the said United Kingdom and the dominions and plantations thereunto belonging and that there be a communication of all other rights privileges and advantages which do or may belong to the subjects of either kingdom except where it is otherwise expressly agreed in these articles.

Article VI

That all parts of the United Kingdom for ever from and after the union shall have the same allowances encouragements and drawbacks and be under the same prohibitions restrictions and regulations of trade and liable to the same customs and duties on import and export and that the allowances encouragements and drawbacks prohibitions restrictions and regulations of trade and the customs and duties on import and export settled in England when the union commences shall from and after the union take place throughout the whole United Kingdom.

Article XVIII

That the laws concerning regulation of trade customs and such excises to which Scotland is by virtue of this treaty to be liable be the same in Scotland from and after the union as in England and that all other laws in use within the kingdom of Scotland do after the union and notwithstanding thereof remain

in the same force as before (except such as are contrary to or inconsistent with this treaty) but alterable by the Parliament of Great Britain with this difference betwixt the laws concerning publick right policy and civil government and those which concern private right that the laws which concern publick right policy and civil government may be made the same throughout the whole United Kingdom. But that no alteration be made in laws which concern private right except for evident utility of the subjects within Scotland

Article XXV

That all laws and statutes in either kingdom so far as they are contrary to or inconsistent with the terms of these articles or any of them shall from and after the union cease and become void and shall be so declared to be by the respective Parliaments of the said kingdoms.

As by the said articles of union ratified and approved by the said Act of Parliament of Scotland relation being thereunto had may appear.

And it is hereby further enacted by the authority aforesaid that the said Act passed in this present session of Parliament intituled An Act for securing the Church of England as by law established and all and every the matters and things therein contained and also the said Act of Parliament of Scotland intituled Act for securing the Protestant religion and Presbyterian Church government with the establishment in the said Act contained be and shall for ever be held and adjudged to be and observed as fundamental and essential conditions of the said union and shall in all times coming be taken to be and are hereby declared to be essential and fundamental parts of the said articles and union and the said articles of union so as aforesaid ratified approved and confirmed by Act of Parliament of Scotland and by this present Act and the said Act passed in this present session of Parliament intituled an Act for securing the Church of England as by law established and also the said Act passed in the Parliament of Scotland intituled Act for securing the Protestant religion and Presbyterian Church government are hereby enacted and ordained to be and continue in all times coming the complete and intire union of the two kingdoms of England and Scotland.

PARLIAMENTARY PAPERS ACT 1840 (3 & 4 Vict., c. 9)

An Act to give summary Protection to Persons employed in the Publication of Parliamentary Papers

1 Proceedings, criminal or civil, against persons for publication of papers printed by order of Parliament to be stayed upon delivery of a certificate and affidavit to the effect that such publication is by order of either House of Parliament

It shall and may be lawful for any person or persons who now is or are, or hereafter shall be, a defendant or defendants in any civil or criminal proceedings commenced or prosecuted in any manner soever, for or on account or in respect of the publication of any such report, paper, votes, or proceedings by such person or persons, or by his, her, or their servant or servants, by or under the authority of either House of Parliament, to bring before the court in which such proceeding shall have been or shall be so commenced or prosecuted, or before any judge of the same (if one of the superior courts at Westminster), first giving twenty-four hours notice of his intention so to do to the prosecutor or plaintiff in such proceeding, a certificate under the hand of the speaker of the House of Lords, or of the clerk of the Parliaments, or of the speaker of the House of Commons, or of the clerk of the same house, stating that the report, paper, votes, or proceedings, as the case may be, in respect whereof such civil or criminal proceeding shall have been commenced or prosecuted, was published by such person or persons, or by his, her, or their servant or servants, by order or under the authority of the House of Lords or of the House of Commons, as the case may be, together with an affidavit verifying such certificate; and such court or judge shall thereupon immediately stay such civil or criminal proceeding, and the same, and every writ or process issued therein, shall be and shall be deemed and taken to be finally put an end to, determined, and superseded by virtue of this Act.

2 Proceedings to be stayed when commenced in respect of a copy of an authenticated report, etc.

In case of any civil or criminal proceeding hereafter to be commenced or prosecuted for or on account or in respect of the publication of any copy of such report, paper, votes, or

proceedings, it shall be lawful for the defendant or defendants at any stage of the proceedings to lay before the court or judge such report, paper, votes, or proceedings, and such copy, with an affidavit verifying such report, paper, votes, or proceedings, and the correctness of such copy, and the court or judge shall immediately stay such civil or criminal proceedings, and the same, and every writ or process issued therein, shall be and shall be deemed and taken to be finally put an end to, determined, and superseded by virtue of this Act.

3 In proceedings for printing any extract or abstract of a paper, it may be shown that such extract was bona fide made

It shall be lawful in any civil or criminal proceeding to be commenced or prosecuted for printing any extract from or abstract of such report, paper, votes, or proceedings, to give in evidence such report, paper, votes or proceedings, and to show that such extract or abstract was published bona fide and without malice; and if such shall be the opinion of the jury, a verdict of not guilty shall be entered for the defendant or defendants.

4 Act not to affect the privileges of Parliament

Provided always that nothing herein contained shall be deemed or taken, or held or construed, directly or indirectly, by implication or otherwise, to affect the privileges of Parliament in any manner whatsoever.

OFFICIAL SECRETS ACT 1911
(1 & 2 Geo. 5, c. 28)

An Act to re-enact the Official Secrets Act 1889, with Amendments

1 Penalties for spying

- (1) If any person for any purpose prejudicial to the safety or interests of the State—
- (a) approaches, inspects, passes over or is in the neighbourhood of, or enters any prohibited place within the meaning of this Act; or
 - (b) makes any sketch, plan, model, or note which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy; or
 - (c) obtains, collects, records, or publishes, or communicates to any other person any secret official code word or pass word, or any sketch, plan, model, article, or note, or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy;
- he shall be guilty of felony.
- (2) On a prosecution under this section, it shall not be necessary to show that the accused person was guilty of any particular act tending to show a purpose prejudicial to the safety or interests of the State, and, notwithstanding that no such act is proved against him, he may be convicted if, from the circumstances of the case, or his conduct, or his known character as proved, it appears that his purpose was a purpose prejudicial to the safety or interests of the State; and if any sketch, plan, model, article, note, document, or information relating to or used in any prohibited place within the meaning of this Act, or anything in such a place or any secret official code word or pass word, is made, obtained, collected, recorded, published, or communicated by any person other than a person acting under lawful authority, it shall be deemed to have been made, obtained, collected, recorded, published or communicated for a purpose prejudicial to the safety or interests of the State unless the contrary is proved.

3 Definition of prohibited place

For the purposes of this Act, the expression "prohibited place" means—

- (a) any work of defence, arsenal, naval or air force establishment or station, factory, dockyard, mine, minefield, camp, ship, or aircraft belonging to or occupied by or on behalf of His Majesty, or any telegraph, telephone, wireless or signal station, or office so belonging or occupied, and any place belonging to or occupied by or on behalf of His Majesty and used for the purpose of building, repairing, making, or storing any munitions of war, or any sketches, plans, models, or documents relating thereto, or for the purpose of getting any metals, oil, or minerals of use in time of war;

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