

Practice Note 3 October 2022

Lord Reed, as President of the Supreme Court and Chairman of the Judicial Committee, has issued the following practice note in respect of the United Kingdom Supreme Court (UKSC) and Judicial Committee of the Privy Council (JCPC):

Following the death of Her Majesty Queen Elizabeth II on 8 September 2022, and the accession of His Majesty King Charles III, it is necessary to re-issue some of the Practice Directions in each of the respective Courts so as to refer to His Majesty and The King. There are also changes to refer to the The King's Bench Division of the High Court and King's Council. The changes are to the following PDs:

- UKSC PD 1
- UKSC PD 3
- UKSC PD 12
- UKSC PD 13
- JCPC PD 1
- JCPC PD 8

There are no substantive changes to the Practice Directions.

For the avoidance of doubt, no changes are made to the UKSC Rules or the JCPC Rules. This is because of Section 10 of the Interpretation Act 1978, which provides:

“In any Act a reference to the Sovereign reigning at the time of the passing of the Act is to be construed, unless the contrary intention appears, as a reference to the Sovereign for the time being.”

Although it refers to “any Act”, it also applies to subordinate legislation by virtue of section 23 of the 1978 Act. Accordingly, any references in the UKSC and JCPC Rules to “The Queen” or “Her Majesty” can automatically be read as references to “The King” or “His Majesty”, as applicable.