

## SCHEDULES

### SCHEDULE 10

#### COMMISSION AREAS AND PETTY SESSIONS AREAS

##### *The Justices of the Peace Act 1997 (c. 25)*

47 The Justices of the Peace Act 1997 has effect subject to the following amendments.

48 In section 6 (residence qualification for justices), after subsection (1) insert—

“(1A) If a person who is the Lord Mayor or an alderman of the City of London is appointed in accordance with section 5 above as a justice of the peace for a commission area including the City of London, subsection (1) above shall not apply in relation to his appointment as a justice of the peace for that area so long as he holds either of those offices.”

49 (1) Section 10 (allowances for justices) is amended as follows.

(2) In subsection (7) (meaning of “the appropriate authority”), for the words from “means” to the end substitute “means, in relation to a justice—

(a) the council of the local government area which consists of or includes the petty sessions area for which he acts; or

(b) where he acts for a petty sessions area which is partly included in two or more local government areas, the councils of those local government areas.”

(3) For subsection (8) (meaning of “local government area”) substitute—

“(8) In subsection (7) above “local government area” means—

(a) in relation to England, the City of London, a London borough, a metropolitan district, a non-metropolitan county for which there is a council or a unitary district; and

(b) in relation to Wales, a county or a county borough;

and for the purposes of that subsection the Common Council shall be regarded as the council of the City of London.”

(4) In subsection (9) (joint payment of allowances), for “subsection (7)(d)(ii)” substitute “subsection (7)(b)”.

50 For section 26 (Greater Manchester, Merseyside and Lancashire) substitute—

#### **“26 Greater Manchester, Merseyside and Lancashire**

(1) This section applies to the area consisting of the counties of Greater Manchester and Merseyside and the retained county of Lancashire; and for this purpose the retained county of Lancashire is that county as it stood immediately before 1st April 1995.

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*Status: This is the original version (as it was originally enacted).*

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- (2) Sections 5(1), 6 and 25 above have effect—
- (a) in the case of a commission area which is wholly included within the area to which this section applies with the substitution, for any reference to the Lord Chancellor, of a reference to the Chancellor of the Duchy of Lancaster; and
  - (b) in the case of a commission area which is partly included within that area with the substitution, for any reference to the Lord Chancellor, of a reference to the Lord Chancellor and the Chancellor of the Duchy of Lancaster acting jointly.
- (3) Sections 7(4) to (6) and 8 above have effect—
- (a) in the case of a person who is a justice of the peace only for a commission area which is wholly included within that area with the substitution, for any reference to the Lord Chancellor, of a reference to the Chancellor of the Duchy of Lancaster; and
  - (b) in the case of a person who is a justice either for such a commission area and another commission area or for a commission area which is partly included within that area with the substitution, for any reference to the Lord Chancellor, of a reference to the Lord Chancellor and the Chancellor of the Duchy of Lancaster acting jointly.”

- 51 In section 50(11) (pensions etc. of court staff in inner London area: interpretation), in the definition of “inner London court staff”, after “justices' clerk for” insert “a petty sessions area which is included (wholly or partly) in”.
- 52 (1) Section 72(1) (definitions) is amended as follows.
- (2) After the definition of “commission area” insert—
- ““inner London area” means the area consisting of the inner London boroughs;”.
- (3) In the definition of “petty sessional court-house”, for “petty sessional division” substitute “petty sessions area”.
- 53 In paragraph 11(4) of Schedule 4 (chief clerks in inner London), for “that petty sessional division” substitute “the corresponding petty sessions area”.