

1983 No. 677 (L. 14)

MAGISTRATES' COURTS

**The Domestic Courts (Constitution) (Inner London)
(Amendment) Rules 1983**

<i>Made - - - -</i>	26th April 1983
<i>Laid before Parliament</i>	12th May 1983
<i>Coming into Operation</i>	13th June 1983

The Lord Chancellor, in exercise of the powers conferred upon him by section 144 of the Magistrates' Courts Act 1980(a), as extended by section 67 of that Act, after consultation with the Rule Committee appointed under the said section 144, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Domestic Courts (Constitution) (Inner London) (Amendment) Rules 1983 and shall come into operation on 13th June 1983.

(2) In these Rules “the principal Rules” means the Domestic Courts (Constitution) (Inner London) Rules 1979(b).

2. In rule 3 of the principal Rules—

(a) paragraphs (1) and (6) shall be omitted;

(b) the following paragraphs shall be substituted for paragraph (2)—

“(2) The justices appointed to form a panel for a petty sessions area at the meeting of the justices for that area held in October 1982 in accordance with rules made under section 18 of the Justices of the Peace Act 1979 for the purpose of electing a chairman of the justices, shall, subject to rule 6 below, serve thereon for a term ending at the expiration of the month of December 1986.

(2A) Subject to paragraph (7) below, the justices for each petty sessions area shall, at the said meeting held in October 1986 and thereafter at the said meeting in every third year, appoint, in accordance with the provisions of this rule, suitable justices to form a panel for that area for a term of three years commencing on 1st January in the following year.”; and

(c) for the words “paragraph (1) or (2) above” in paragraph (7) there shall be substituted the words “paragraph (2A) above”.

(a) 1980 c. 43.

(b) S.I. 1979/758.

3. In rule 11 of the principal Rules—

(a) for the words “paragraph (2) below” in paragraph (1) there shall be substituted the words “paragraphs (1A) and (2) below”; and

(b) after paragraph (1) there shall be inserted the following paragraph—

“(1A) If at any sitting of a domestic court which does not include a stipendiary magistrate (whether sitting alone or as chairman) the chairman or a deputy chairman is available but considers that it would be appropriate for another member of the court to act as chairman at that sitting, he may nominate that member to act as chairman at the sitting provided that the chairman or a deputy chairman sits as a member of the court throughout the sitting.”.

4. In rule 12(3)(a) of the principal Rules after the words “to a panel” there shall be inserted the words “in paragraphs (2) and (2A) of that rule”.

Hailsham of St. Marylebone, C.

Dated 26th April 1983.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Domestic Courts (Constitution) (Inner London) Rules 1979. Rule 2 removes the requirement that a justices' clerk for a petty sessions area must notify the Secretary of State whenever a domestic court panel has been appointed. It also extends to four years the period for which such panels are currently appointed and makes provision thereafter for panels to be appointed every three years. Rule 3 makes provision for the chairman or a deputy chairman of a domestic court panel to nominate another member of the panel to act as chairman at any sitting of the court provided that the chairman or a deputy chairman sits as a member of the court throughout the sitting.

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