

## SCHEDULE

### PART I

#### AMENDMENTS TO ENACTMENTS CONCERNING MAGISTRATES' COURTS

##### **Justices of the Peace Act 1979**

- 1.—(1) In section 1 of the Justices of the Peace Act 1979(1)—
- (a) at the beginning of the section, there shall be inserted—  
“Subject to any order made under section 17 of the Local Government Act 1992,”;
  - (b) the words “(in this Act referred to as “commission areas”) and no others” shall be repealed;
  - (c) the following shall be substituted for paragraph (a)—  
“(a) every metropolitan county or relevant area in England;”;
  - (d) at the end of the section, there shall be inserted—  
“and in this Act “commission area” means an area for which there is a commission of the peace.”.
- (2) In section 4(1A) of that Act, after “construed” there shall be inserted “, in relation to England, as a reference to a relevant area and”.
- (3) In section 12 of that Act—
- (a) subsection (5)(d) shall be repealed;
  - (b) the following shall be inserted after subsection (5)(e)—  
“(f) in relation to any other commission area—
    - (i) the council of the county or unitary district which is or includes the petty sessions area for which the justice acts, or
    - (ii) where the justice acts for a petty sessions area which is partly included in two or more counties or unitary districts, the councils of those counties and unitary districts;”;
  - (c) in subsection (5A), for “subsection (5)(b)(ii)” there shall be substituted “subsection (5)”, and for “inner London boroughs” there shall be substituted “appropriate authorities”.
- (4) In section 19(2)(a) of that Act, for “non-metropolitan county” there shall be substituted “relevant area”.
- (5) Section 24 of that Act shall be amended as follows—
- (a) in subsections (1)(a) and (2), for “metropolitan district” there shall be substituted “unitary district”;
  - (b) in subsection (6)(a), after “in the county” there shall be inserted “(other than a unitary district)”.
- (6) Section 24B of that Act shall be amended as follows—
- (a) in subsections (1)(a) and (2), for “metropolitan district” there shall be substituted “unitary district”;
  - (b) in subsection (4)(a), after “in the county” there shall be inserted “(other than a unitary district)”.

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(1) 1979 c. 55, as amended by paragraph 10 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(7) Section 70 of that Act shall be amended as follows—

(a) the following shall be inserted after the definition of “preserved county”—

““relevant area” means the area of a non-metropolitan county created by Part I of the Local Government Act 1972<sup>(2)</sup>, as it stood immediately before 1st April 1995;”;

(b) the following shall be inserted at the end of the section—

““unitary district” means a district comprised in an area for which there is no county council.”.

### **Magistrates' Courts Act 1980**

2.—(1) In section 1(8) of the Magistrates' Courts Act 1980<sup>(3)</sup> for the words from “any county” to the end there shall be substituted “any commission area in England or preserved county in Wales”.

(2) In section 2(1) and (3) of that Act—

(a) for “a county in England, a preserved county in Wales, a London commission area or the City of London” there shall be substituted “a commission area in England or a preserved county in Wales”;

(b) for “the county, the preserved county, the London commission area or the City” there shall be substituted “the commission area or preserved county”.

(3) In section 3(4) of that Act for the words from “any county” to the end there shall be substituted “any commission area in England or preserved county in Wales”.

(4) In section 97(1) of that Act—

(a) for “any county, any London commission area or the City of London” there shall be substituted “any commission area in England or any county in Wales”;

(b) for “that county, that London commission area or the City” there shall be substituted “that commission area or county”.

(5) In section 97(1A) of that Act, for “that county, that London commission area or the City” there shall be substituted “that commission area or county”.

(6) In section 116(3) of that Act, for the words from “any county” to the end there shall be substituted “commission areas in England and counties in Wales”.

(7) The following shall be inserted after the definition of “bail in criminal proceedings” in section 150(1) of that Act—

““commission area”, in relation to England, has the meaning given by section 1 of the Justices of the Peace Act 1979.”.

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(2) 1972 c. 70.

(3) 1980 c. 43, as amended by paragraph 11 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19).