
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is consequential upon the provisions of the Local Government (Wales) Act 1994, which effect local government reorganisation in Wales. As a result of those provisions, commission areas will be based not on counties but on “preserved counties”, which correspond (with some modifications) to the areas of the Welsh counties as existing immediately before 1st April 1996; petty sessions areas will be preserved counties or divisions of them; and magistrates' courts committee areas will be based on preserved counties and not on counties. The Order makes the necessary amendments to the Justices of the Peace Act 1979 and the Magistrates' Courts Act 1980, and makes the following further provisions in relation to areas in Wales.

(1) Existing commissions of the peace, petty sessions areas and magistrates' courts committees are to continue after 1st April 1996, and provision is made for commissions of the peace to continue after orders are made creating, abolishing or altering commission areas until such time as new commissions are issued.

(2) Provisions in the Justices of the Peace Act 1979 governing the functions of local authorities in relation to magistrates' courts are amended to cover cases in which the authority concerned is the council of a county borough, or where the commission area or petty sessions area concerned falls within the area of more than one authority.

(3) References to justices for a county in other legislation are amended or construed to refer to justices for a commission area.

(4) Enforcement provisions in regulations concerning the collection of local taxes are amended to provide for the jurisdiction of justices of the peace for a commission area within which only part of the area of a charging or billing authority is situated.

The corresponding instrument made in relation to England is the Local Government Changes for England (Magistrates' Courts) Regulations (S.I.1996/674).