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STATUTORY INSTRUMENTS

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**1998 No. 3108**

**MAGISTRATES' COURTS**

**The Magistrates' Courts Committees (Northumbria)  
Amalgamation (Amendment) Order 1998**

*Made - - - - 8th December 1998*  
*Laid before Parliament 10th December 1998*  
*Coming into force - - 23rd December 1998*

The Lord Chancellor, in exercise of the powers conferred on him by section 32(3) and (8) of the Justices of the Peace Act 1997<sup>(1)</sup>, hereby makes the following Order:

1. This Order may be cited as the Magistrates' Courts Committees (Northumbria) Amalgamation (Amendment) Order 1998 and shall come into force on 23rd December 1998.

2. In this Order “the Order” means the Magistrates' Courts Committees (Northumbria) Amalgamation Order 1998<sup>(2)</sup> and any reference to a paragraph by number alone means the paragraph so numbered in the Schedule to the Order.

3. In paragraph 4(2) and (6), for “2000” there shall be substituted “2001”.

4. In paragraph 5, the words from “those persons” to “Sunderland” shall be omitted from sub-paragraph (2), and the following new sub-paragraph shall be inserted after sub-paragraph (3):—

“(3A) In appointing members of the transferee committee (including members appointed to fill casual vacancies) for all periods up to and including 31st March 2003, the selection panel shall ensure so far as possible that the transferee committee consists of two justices for the county of Northumberland and two justices for each of the metropolitan districts of Gateshead, Newcastle, North Tyneside, South Tyneside and Sunderland.”.

5.—(1) In paragraph 6(2), the words from “2001” to “after 1st April” shall be omitted.

(2) The following shall be substituted for paragraph 6(3):—

“(3) As soon as reasonably practicable after the second appointed day, and in any case before the amalgamation date, the transferee committee shall appoint a person (who may not be the same person as the clerk designate) to be the justices' chief executive of their area.

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(1) 1997 c. 25.  
(2) S.I.1998/2707.

(3A) The clerk designate for the time being shall act as clerk to the transferee committee from the second appointed day until such time as the transferee committee shall appoint a person to be the justices' chief executive.

(3B) From the time of his appointment until the amalgamation date, the person appointed to be the justices' chief executive shall only have the following functions and powers:—

- (a) to act as clerk to the transferee committee;
- (b) to assist the transferee committee in all its functions and powers as set out in subparagraph (4) below;
- (c) to make all necessary preparations for the assumption of his functions as justices' chief executive for the area of the transferee committee on the amalgamation date.”.

(3) In paragraph 6(4)(h), the words “a justices' chief executive and” shall be omitted.

6. After paragraph 9(3)(b) there shall be inserted the following:—

- “(c) any reference in such an application or approval to the appointment of any person as justices' chief executive for a transferor committee shall be construed as a reference to the appointment of that person as justices' chief executive for the transferee committee.”.

Signed by authority of the Lord Chancellor

Dated 8th December 1998

*G.W. Hoon*  
Minister of State,  
Lord Chancellor’s Department

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Magistrates' Courts Committees (Northumbria) Amalgamation Order 1988, which provides for the replacement of the magistrates' courts committees for Northumberland, Gateshead, Newcastle, North Tyneside, South Tyneside and Sunderland by a single committee to be known as the Northumbria magistrates' courts committee.