

1999 No. 152

MAGISTRATES' COURTS

**The Magistrates' Courts Committees (West Yorkshire)
Amalgamation (Amendment) Order 1999**

<i>Made - - - -</i>	<i>27th January 1999</i>
<i>Laid before Parliament</i>	<i>28th January 1999</i>
<i>Coming into force</i>	<i>31st January 1999</i>

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^(a), hereby makes the following Order:

1. This Order may be cited as the Magistrates' Courts Committees (West Yorkshire) Amalgamation (Amendment) Order 1999 and shall come into force on 31st January 1999.

2. In this Order "the Order" means the Magistrates' Courts Committees (West Yorkshire) Amalgamation Order 1998^(b) and any reference to a paragraph by number alone means the paragraph so numbered in the Schedule to the Order.

3. The existing paragraph 2 shall be renumbered as 2(1), and after it there shall be inserted:—

"(2) All members of the transferor committees on 31st March 1999 shall continue to hold office until 31st March 2000 and there shall be no selection of members to take office on 1st April 1999, notwithstanding anything in regulations 6 and 8 of the Constitution Regulations."

4. In paragraph 3:—

(a) after "clerk" in sub-paragraph (1) there shall be inserted "or clerks";

(b) after "The clerk" in sub-paragraph (2) there shall be inserted "or clerks";

(c) after sub-paragraph (2) there shall be inserted the following:—

"(3) In this Schedule, any reference to the clerk designate shall, if more than one clerk designate is appointed, mean all the clerks designate acting together."

5. In paragraph 4(3), after "the clerk designate" there shall be inserted "or one of the clerks designate".

6. In paragraph 5(4)(c), for "the day before the first appointed day" there shall be substituted "31st January 1999".

7.—(1) 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 to be the justices' chief executive of their area.

(a) 1997 c. 25.
(b) S.I. 1998/2769.

(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 sub-paragraph (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.”.

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

Signed by authority of the Lord Chancellor

Dated 27th January 1999

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 (West Yorkshire) Amalgamation Order 1998, which provides for the replacement of the magistrates' courts committees for the West Riding, Calderdale and Leeds City by a single committee to be known as the West Yorkshire magistrates' courts committee.

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