
STATUTORY INSTRUMENTS

2005 No. 617

**JUSTICES OF THE PEACE,
ENGLAND AND WALES
MAGISTRATES' COURTS,
ENGLAND AND WALES**

The Courts Act 2003 (Consequential
Provisions) (No. 2) Order 2005

<i>Made</i>	- - - -	<i>9th March 2005</i>
<i>Laid before Parliament</i>		<i>10th March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Lord Chancellor, in exercise of the power conferred on him by section 109(4)(a), (5)(b) and (6) of the Courts Act 2003⁽¹⁾, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005 and shall come into force on 1st April 2005.

Consequential provisions

2. The amendments of subordinate legislation in the Schedule to this Order have effect.

Revocation

3. The Magistrates' Courts (Remands in Custody) Order 1989⁽²⁾ is hereby revoked.

(1) 2003 c. 39; see the definition of "enactment" in section 107(8).
(2) S.I.1989/970.

Signed by authority of the Lord Chancellor

9th March 2005

Christopher Leslie
Parliamentary Under Secretary
Department for Constitutional Affairs

SCHEDULE

Article 2

CONSEQUENTIAL AMENDMENTS

Maintenance Orders (Facilities for Enforcement) Rules 1922(3)

1. In rule 1, for “justices' chief executive for the petty sessions area” substitute “designated officer for the local justice area”.
2. In rules 2A and 3, for “justices' chief executive” substitute “designated officer for a local justice area”.
3. In rules 5A(4) (in the first place) and 6A(3) (in the first place) and in the definition of “file” in paragraph 1 of the Schedule, for “justices' chief executive” substitute “designated officer for a magistrates' court”.
4. In rules 4, 5, 5A(2) and (4) (in the second place), 6, 6A(3)(b) and 7 and paragraphs 2(1)(b) and (2), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of the Schedule, for “justices' chief executive” substitute “designated officer for the court”.
5. In paragraph 1 of the Schedule, omit the definition of “justices' chief executive”.
6. For “justices' chief executive” in other places in these Rules substitute “designated officer”.
7. In paragraph 12(2) of the Schedule, for “magistrates' courts committee” substitute “Lord Chancellor”.

Maintenance Orders Act 1950 (Summary Jurisdiction) Rules 1950(4)

8. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.
9. In rules 1(1) and (4), 2(1) and 5(1), for “acting for the same place” substitute “acting in the same place”.
10. In the Schedule—
 - (a) in Forms 1 and 2, for “Petty Sessional Division” substitute “Local Justice Area” and for “Justices' Chief Executive” (in each place) substitute “Designated Officer”; and
 - (b) in Form 4, for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Youth Courts (Constitution) Rules 1954(5)

11. In rule 1—
 - (a) after paragraph (1), insert the following paragraph:

“(1A) In respect of the next meeting to be held after 1st April 2005 as provided in paragraph (1) above and in every third year thereafter, that paragraph shall have effect as if the reference to “of each petty sessions area” were a reference to “for each local justice area” and a panel in being on that date shall have effect as the panel for the local justice area corresponding (in accordance with the first order made under section 8 of the Courts Act 2003) to the petty sessions area for which it was formed.”;
 - (b) in paragraphs (2), (3) and (5)(a) (in both places), for “petty sessions area” substitute “local justice area”;

(3) S.I. 1922/1355; the relevant amending instruments are S.I. 1992/457, 1993/617 and 2001/615.

(4) S.I. 1950/2035; the relevant amending instruments are S.I. 1980/1895, 1992/457 and 2001/615.

(5) S.I. 1954/1711; the relevant amending instruments are S.I. 1996/577 and 1996/3068. The words “youth court” or “youth courts” were substituted throughout this instrument by virtue of section 70 of the Criminal Justice Act 1991 (c. 53).

Status: This is the original version (as it was originally made).

- (c) omit paragraph (4) and the words “except as provided in paragraph (4) of this Rule” in paragraph (2); and
 - (d) in paragraph (5)—
 - (i) in subparagraph (b), at the end insert “and are assigned to the first area by the Lord Chancellor”; and
 - (ii) omit subparagraph (d).
12. In rules 3, 6 and 9(1), for “petty sessions area” substitute “local justice area”.
13. In rule 14(1), omit the words from “and, in relation to” to the end”.

Magistrates' Courts (Maintenance Orders Act 1958) Rules 1959(6)

14. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.
15. In the Schedule—
- (a) for “JUSTICES' CHIEF EXECUTIVE” (in each place) substitute “DESIGNATED OFFICER”;
 - (b) for “Justices' Chief Executive” (in each place) and “Chief Executive” substitute “Designated Officer”; and
 - (c) for “Petty Sessional Division” (in each place) substitute “Local Justice Area”.

Betting (Licensing) Regulations 1960(7)

16. In regulations 1(1) and 2(1), for “petty sessions area” substitute “local justice area”.
17. In the Schedule—
- (a) in Forms 1 to 6 and 9 to 12, for “Petty Sessional Division” substitute “Local Justice Area”; and
 - (b) in Forms 7 and 8, for “PETTY SESSIONAL DIVISION” substitute “LOCAL JUSTICE AREA”.

Betting Levy (Particulars of Bookmakers' Permits) Regulations 1961(8)

18. In regulation 1(a), for “petty sessions area” substitute “local justice area”.

Justices of the Peace Act 1949 (Compensation) Regulations 1965(9)

19. In regulation 2(1), in the definition of “determining authority” for the words from “means” to the end substitute “means the Lord Chancellor”.

Magistrates' Courts (Backing of Warrants) Rules 1965(10)

20. In rules 3(2) and (3), 4(1) and 5B (in the second place), for “justices' chief executive” substitute “designated officer”.
21. In rule 5B, for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates' court”.

(6) [S.I.1959/3](#); the relevant amending instruments are [S.I. 1980/1896](#), [1986/1962](#), [1989/384](#), [1992/457](#) and [2001/615](#).

(7) [S.I. 1960/1701](#), amended by [S.I. 1963/859](#).

(8) [S.I. 1961/1547](#).

(9) [S.I. 1965/283](#); the amending instruments are not relevant.

(10) [S.I. 1965/1906](#), amended by [S.I. 1989/1596](#) and [2001/615](#).

*Criminal Appeal Rules 1968***(11)**

22. In Schedule 1 to these Rules for “justices' chief executive” (in each place) substitute “designated officer” and for “Justices' Chief Executive” substitute “Designated Officer”.

*Gaming Act (Registration under Part II) Regulations 1969***(12)**

23. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

*Gaming Act (Registration under Part III) Regulations 1969***(13)**

24. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

*Gaming Clubs (Licensing) Regulations 1969***(14)**

25. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

*Magistrates' Courts (Attachment of Earnings) Rules 1971***(15)**

26. In these Rules (in each place)—

- (a) for “justices' chief executive” substitute “designated officer”;
- (b) for “acting for” substitute “acting in”; and
- (c) for “petty sessions area” substitute “local justice area”.

27. In rule 9(2), for “for which the justice is acting” substitute “in which the justice is acting”.

28. In rule 16(1), for “for which the second mentioned court acted” substitute “in which the second mentioned court acted”.

*Blood Tests (Evidence of Paternity) Regulations 1971***(16)**

29. In Form 2 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer”.

*Magistrates' Courts (Blood Tests) Rules 1971***(17)**

30. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court” and in Form 3 in the Schedule, for “Justices Chief Executive” substitute “Designated Officer for the . . . Magistrates' Court”.

*Isles of Scilly (Sale of Intoxicating Liquor) Order 1973***(18)**

31. In article 4(2)(f), omit “justices' chief executive” and for “chief executive to” substitute “designated officer for”.

32. In article 14, for “justices' chief executives” substitute “designated officers for licensing justices”.

(11) S.I. 1968/1262; the relevant amending instrument is S.I. 2001/613.

(12) S.I. 1969/550; the amending instruments are not relevant.

(13) S.I. 1969/1109.

(14) S.I. 1969/1110; the relevant amending instrument is S.I. 2003/1513.

(15) S.I. 1971/809; the relevant amending instrument is S.I. 2001/615.

(16) S.I. 1971/1861; the relevant amending instrument is S.I. 2001/773.

(17) S.I. 1971/1991; the relevant amending instrument is S.I. 2001/776.

(18) S.I. 1973/1958, amended by S.I. 1983/1136 and 2001/1099.

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Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules 1974(19)

33. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

34. In rules 4A(3) (in the first place), 7(2) (in the first place), 8(1), 9(1A) (in the first place) and (2), 13(1) and (3) and 14(1) and (2) (in the first place) and in the definition of “file” in paragraph 1 of Schedule A1, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

35. In rules 4B(2)(b), 8(2), 9B(1) and 12 (in each place) and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule A1, for “justices' chief executive” substitute “designated officer for the court”.

36. In paragraph 1 of Schedule A1, omit the definition of “justices' chief executive”.

37. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

38. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee” substitute “Lord Chancellor”.

Magistrates' Courts (Guardianship of Minors) Rules 1974(20)

39. In rule 5(1), omit “for the commission area in which the applicant or any respondent resides”.

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules 1975(21)

40. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

41. In rules 4A(2) (in the first place), 8(1) and 13 (in each place) and in the definition of “file” in paragraph 1 of Schedule A1, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

42. In rules 9(2), 10(1A), (2) and (3) and 12 and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule A1, for “justices' chief executive” substitute “designated officer for the court”.

43. In paragraph 1 of Schedule A1, omit the definition of “justices' chief executive”.

44. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

45. In rule 14(1), for “petty sessions area for which the court acts” substitute “local justice area in which the court acts”.

46. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee” substitute “Lord Chancellor”.

47. In the Schedule (in both places), for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

(19) S.I. 1974/668; the relevant amending instruments are S.I. 1976/2236, 1986/1962, 1992/457, 1993/617 and 2001/615.

(20) S.I. 1974/706; the relevant amending instruments are S.I. 1980/1585 and 1989/384.

(21) S.I. 1975/286, as amended by S.I. 1992/457, 1993/617 and 2001/615.

Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975(22)

48. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

49. In rules 3A(1) (in the first place), 5(2), 6(1) and (2), 7(1) and (2) and 10(1) and in the definition of “file” in paragraph 1 of Schedule 2, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

50. In rules 3A(1)(b), 4, 5A, 7A(1), 7B(3) and 8(1) and paragraphs 5(1), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule 2, for “justices' chief executive” and in rule 7B(3)(b) for “justices' chief Executive” substitute “designated officer for the court”.

51. In paragraph 1 of Schedule 2, omit the definition of “justices' chief executive”.

52. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

53. In paragraph 12(2) of Schedule 2, for “magistrates' courts committee” substitute “Lord Chancellor”.

54. In Schedule 1, for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(23)

55. In paragraph 4 of Part II of Schedule 1, for “Justices' chief executives” substitute “Designated officers for magistrates' courts, for justices of the peace or for local justice areas”.

Local Government Area Changes Regulations 1976(24)

56. In regulations 3(4), 40(1)(a)(ix) and 85(2)(b), for “petty sessions area” substitute “local justice area”.

57. In regulation 19—

(a) omit paragraph (1) of Part 1; and

(b) in paragraph (2), for “petty sessions area” (in each place) substitute “local justice area”.

58. In the heading of Schedule 1, for “Petty Sessions Areas” substitute “Local Justice Areas” and in the heading of each part of that schedule, for “Petty Sessions Area” substitute “Local Justice Area” and in that schedule—

(a) in paragraph 1 of Part I—

(i) in the definition of “transferred area”, for “petty sessions area” substitute “local justice area”; and

(ii) in the definitions of “the transferor area” and “the transferee area”, for “petty sessions area” substitute “local justice area” and for “act for such petty sessions area” substitute “act in such local justice area”; and

(b) in paragraph 6 of Part I, for “petty sessions area” substitute “local justice area”;

(c) in paragraphs 1 (in both places) and 4 of Part II, for “petty sessions area” substitute “local justice area”; and

(d) in paragraph 1 of Part III, omit subparagraphs (d) and (iv).

(22) S.I. 1975/488, amended by S.I. 1980/1584, 1993/617 and 2001/615 and applied and amended by S.I. 1979/1561.

(23) S.I. 1975/1023; the relevant amending instrument is S.I. 2001/1192.

(24) S.I. 1976/246; the relevant amending instrument is S.I. 1978/247.

Justices' Clerks (Qualifications of Assistants) Rules 1979(25)

59. In rule 2(1), omit the definition of “magistrates' courts committee” and, in rule 2A(1)(a), “whether or not with the same magistrates' courts committee”.

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules 1980(26)

60. In the definition of “the court’s register” in rule 2, for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

61. In rules 4A(3) (in the first place), 5(1), 10(1) and (2) and 11 and in the definition of “file” in paragraph 1 of Schedule 1A, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

62. In rules 5(3), 7(2), 8(1A) and (2), 8B(1) and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule 1A, for “justices' chief executive” substitute “designated officer for the court”.

63. In paragraph 1 of Schedule 1A, omit the definition of “justices' chief executive”.

64. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

65. In rule 12(1), for “petty sessions area for which the court acts” substitute “local justice area in which the court acts”.

66. In paragraph 12(2) of Schedule 1A, for “magistrates' courts committee” substitute “Lord Chancellor”.

67. In Schedule 2 (in each place), for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Magistrates' Courts Rules 1981(27)

68. In rule 4A(4), for “chief executive to” substitute “designated officer for”.

69. In rule 32(1)(a), for “petty sessions area for which the court is acting” substitute “local justice area in which the court is acting”.

70. In rule 41—

(a) in paragraph (1)(a), for “appointed for the commission area” substitute “acting in the local justice area”;

(b) in paragraph (2)—

(i) for “acting for the same petty sessions area” substitute “acting in the same local justice area”; and

(ii) for “acting for the petty sessions area” substitute “acting in the local justice area”;

(c) in paragraph (3), for “acting for the same petty sessions area” substitute “acting in the same local justice area”;

(d) in paragraph (4)—

(25) S.I. 1979/570; the relevant amending instrument is S.I. 1999/2814.

(26) S.I. 1980/108 (applied by S.I. 1996/2802); the relevant amending instruments are S.I. 1986/1962, 1992/457, 1993/617 and 2001/615.

(27) S.I. 1981/552; the relevant amending instruments are S.I. 1983/523, 1984/1552, 1985/1944, 1986/1332, 1989/384, 1992/457, 1992/2072, 1993/1183, 1994/1481, 1995/585, 1997/706, 2000/3361, 2001/167, 2001/610, 2003/423, 2003/1236 and 2004/2993.

- (i) for “acting for the same petty sessions area” substitute “acting in the same local justice area”;
 - (ii) for “petty sessions area” (in the second place) substitute “local justice area”; and
 - (iii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”;
- (e) in paragraph (5)—
- (i) for “petty sessions area for which the justice is acting” substitute “local justice area in which the justice is acting”;
 - (ii) for “petty sessions areas” substitute “local justice areas”; and
 - (iii) for “petty sessions area” (in the second place) substitute “local justice area”;
- (f) in paragraph (7)—
- (i) for “acting for a petty sessions area other than that for which the responsible court acts” substitute “acting in a local justice area other than that in which the responsible court acts”;
 - (ii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”; and
 - (iii) for “acting for the same petty sessions area” substitute “acting in the same local justice area”; and
- (g) in paragraph (8), for “that chief executive” substitute “that designated officer”.
- 71.** In rule 55, for “that chief executive” substitute “that designated officer”.
- 72.** In rule 57A(1)—
- (a) for “a justices' chief executive” substitute “the designated officer for a magistrates' court”;
 - and
 - (b) for “justices' chief executive” in subparagraphs (f) and (g) substitute “designated officer for the court”.
- 73.** In rule 58(3), for “commission area for which the justice issuing the summons acted” substitute “local justice area in which the justice issuing the summons acted”.
- 74.** In rule 59—
- (a) in paragraph (1)(a)(ii), for “petty sessions area other than that for which the court acts” substitute “local justice area other than that in which the court acts”;
 - (b) in paragraph (1)(a)(iii), for “acting for that petty sessions area” substitute “acting in that local justice area”; and
 - (c) in paragraph (2)—
 - (i) for “petty sessions area other than that for which the justice is acting” substitute “local justice area other than that in which the justice is acting”;
 - (ii) for “acting for that area” substitute “acting in that area”; and
 - (iii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”.
- 75.** In rules 60(2), 63(1) and 74(4), for “that chief executive” substitute “that designated officer”.
- 76.** In rule 72A, for “justices' chief executive”—
- (a) in paragraph (1), substitute “designated officer for the magistrates' court”; and
 - (b) in paragraphs (2) to (5), substitute “designated officer for the court”.

Status: This is the original version (as it was originally made).

77. In rule 82—

- (a) for “acting for any petty sessions area” substitute “acting in any local justice area”;
- (b) for “acting for any other petty sessions area” substitute “acting in any other local justice area”; and
- (c) for “acting for that other petty sessions area” substitute “acting in that other local justice area”.

78. In rule 84A(2)(b), for “acting for the petty sessions area” substitute “acting in the local justice area”.

79. In rule 86(1)(b), for “a justices' chief executive” substitute “the designated officer for a magistrates' court”.

80. In rule 92, for “acting for the same petty sessions area as that for which the justice acts” substitute “acting in the same local justice area as that in which the justice acts”.

81. In rule 93B—

- (a) in paragraph (1)(b), for “acting for the petty sessions area” substitute “acting in the local justice area”; and
- (b) in paragraph (3)(b), for “justices' chief executive” substitute “designated officer for that magistrates' court”.

82. In rule 95A, for “petty sessions area” substitute “local justice area”.

83. In rule 101(2), for “acting for the petty sessions area for which the justice is acting” substitute “acting in the local justice area in which the justice is acting”.

84. In rule 106(2)(b), for “acting for the same petty sessions area as that of the court” substitute “acting in the same local justice area as that of the court”.

85. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Magistrates' Courts (Forms) Rules 1981(28)

86. In Schedule 2—

- (a) in Form 13 for “justices' chief executive” substitute “designated officer”;
- (b) in Form 25, for “Chief Executive to” substitute “Designated Officer for”;
- (c) in Form 92I, for “Petty sessions area” substitute “Local justice area”; and
- (d) in Form 155, for “acting in and for the Petty Sessional Division” substitute “acting in the Local Justice Area”.

Crown Court Rules 1982(29)

87. In these Rules (in each place), for “justices' chief executive” substitute “designated officer”.

88. In rules 3(2) and (3) and 4(1)(a) and (b), for “petty sessions area” substitute “local justice area”.

89. In rules 7(2)(b) and (7)(c), 8(d) and 11(2)(b), for “chief executive to” substitute “designated officer for”.

90. In Schedule 10, for “Justices' Chief Executive” substitute “Designated Officer”.

(28) S.I. 1981/553; the relevant amending instrument is S.I. 2001/615.

(29) S.I. 1982/1109; the relevant amending instruments are S.I. 1988/952, 1988/1332, 1988/1635, 1994/1480 and 2001/614.

*Magistrates' Courts (Adoption) Rules 1984***(30)**

91. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court”.

92. In rule 15(1), for “acting for the area” substitute “acting in the area”.

93. In rule 28(1), for “acting for the same petty sessions area” substitute “acting in the same local justice area”.

94. In Form 3 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer for the Court” and for “Chief Executive to” substitute “Designated Officer for”.

*Magistrates' Courts (Discontinuance of Proceedings) Rules 1986***(31)**

95. In rule 6, for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Child Abduction and Custody) Rules 1986***(32)**

96. In rule 8(1), (3) and (4), for “justices' chief executive” substitute “designated officer”.

*Fixed Penalty (Procedure) Regulations 1986***(33)**

97. In regulation 5(3), for “justices' chief executive” (in the first place) substitute “the designated officer for a magistrates' court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

98. In regulation 8, for “justices' chief executive” substitute “designated officer”.

*Costs in Criminal Cases (General) Regulations 1986***(34)**

99. In regulations 6(2) and 8(1), for “justices' chief executive” substitute “designated officer”.

*Insolvency Rules 1986***(35)**

100. In Form 2.1B in Schedule 4, for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Civil Jurisdiction and Judgments Act 1982) Rules 1986***(36)**

101. In the definition of “the court’s register” in rule 2, for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

102. In rule 4(1) and (1A), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

103. In rules 4(2), 6A, 10 (in each place) and 11(2)(b) and (3)(a) and (b), (4), (5) and (6), for “justices' chief executive” substitute “designated officer for the court”.

104. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

(30) S.I. 1984/611; the relevant amending instruments are S.I. 1989/384, 1991/1991, 2001/615 and 2001/820.

(31) S.I. 1986/367; the relevant amending instrument is S.I. 2001/615.

(32) S.I. 1986/1141; the relevant amending instrument is S.I. 2001/615.

(33) S.I. 1986/1330, amended by S.I. 2001/926.

(34) S.I. 1986/1335; the relevant amending instruments are S.I. 1999/2096 and 2001/611.

(35) S.I. 1986/1925; the relevant amending instrument is S.I. 2003/1730.

(36) S.I. 1986/1962; the relevant amending instruments are S.I. 1992/457, 2001/615 and 2002/194.

Status: This is the original version (as it was originally made).

*Magistrates' Courts (Family Law Act 1986) Rules 1988***(37)**

105. In these Rules for “justices' chief executive” (in each place) substitute “designated officer”.

106. In rule 2(1), omit the definition of “commission area”

107. In the Schedule—

- (a) in Form 1, for “Justices' Chief Executive” substitute “Designated Officer”; and
- (b) in Form 2, for “Justices' Chief Executive” (in both places) substitute “Designated Officer”.

*Magistrates' Courts (Notices of Transfer) Rules 1988***(38)**

108. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

*Civil Legal Aid (General) Regulations 1989***(39)**

109. In regulation 54(4), for “justices' chief executive” substitute “designated officer for the magistrates' court”.

110. In regulation 89(a), for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

*Legal Advice and Assistance Regulations 1989***(40)**

111. In regulation 31(1), for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates' court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

112. In paragraphs 2 and 4 of Schedule 5, for “justices' chief executive” substitute “designated officer for the court”.

*Legal Aid in Criminal and Care Proceedings (General) Regulations 1989***(41)**

113. In regulation 3(1), omit the definition of “justices' chief executive” and after the definition of “the Crime Franchise Panel” insert the following definition:

“designated officer” includes a person duly authorised by the designated officer of a magistrates' court to act on his behalf to the extent that he is so authorised’.

114. In regulations 16(1), 17(4)(b) and 18 (1)(b), (c), (d) and (f), for “justices' chief executive of” substitute “designated officer for”.

115. In regulations 12(1) (in the first place), 13 (in the first place), 15(1), 17(3) (in the first place), 19(1) (in the first place), 20 (in the first place), 40(1A) and 51(4)(b) and (c), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

116. In regulations 11 (in each place), 14(1), (3), (4) and (7), 18(1) (in the last place) and (3), 19(1) (in the second and third places) and 20 (in the second place), for “justices' chief executive” substitute “designated officer for the court”.

(37) S.I. 1988/329; the relevant amending instrument is S.I. 2001/615.

(38) S.I. 1988/1701; the relevant amending instruments are S.I. 2001/615 and 2003/1236.

(39) S.I. 1989/339 (continued in force for certain purposes by S.I. 2000/774 and 2001/916); the relevant amending instrument is S.I. 2001/617.

(40) S.I. 1989/340 (continued in force for certain purposes by S.I. 2000/774 and 2001/916); the relevant amending instrument is S.I. 2001/829.

(41) S.I. 1989/344 (continued in force for certain purposes by S.I. 2000/774 and 2001/916); the relevant amending instruments are S.I. 1998/2909 and 2001/616.

117. For “justices' chief executive” in other places in these Regulations substitute “designated officer”.

118. In Schedule 2, for “Justices' Chief Executive” (in each place) substitute “Designated Officer for the Court”.

*Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989***(42)**

119. In regulation 21, omit paragraphs (1) and (1A).

120. In regulation 23(4), for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Extradition) Rules 1989***(43)**

121. In rule 4(1), for “justices' chief executive” substitute “designated officer for the court” and in rule 4(4), for “justices' chief executive” (in both places) substitute “designated officer”.

*Magistrates' Courts (Social Security Act 1986) (Transfer of Orders to Maintain and Enforcement of Maintenance Orders) Rules 1990***(44)**

122. In rule 3(b), for “justices' chief executive” substitute “designated officer for the court” and in rule 4, for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Criminal Justice (International Co-operation)) Rules 1991***(45)**

123. In rules 3, 7 and 9(1) and (4), for “justices' chief executive” substitute “designated officer for the court”.

124. In rule 5, for “justices' chief executive” substitute “designated officer”.

125. In rule 6(1), omit “petty-sessional”.

*Family Proceedings Rules 1991***(46)**

126. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

127. In rule 4.22(2A)(a), for “petty sessions area or London commission area” substitute “local justice area”.

*Family Proceedings Courts (Children Act 1989) Rules 1991***(47)**

128. In these Rules, for “justices' chief executive” (in each place except rule 1(2)) substitute “designated officer for the court”.

129. In rule 1(2)—

(a) in the definition of “file”, for “justices chief executive” substitute “designated officer for a magistrates' court”; and

(b) omit the definition of “justices' chief executive”.

130. In rule 21H(1), for “petty sessions area” substitute “local justice area”.

(42) S.I. 1989/1058; the relevant amending instruments are S.I. 1993/616, 1996/675, 2001/362 and 2001/1076.

(43) S.I. 1989/1597; the relevant amending instrument is S.I. 2001/615.

(44) S.I. 1990/1909, amended by S.I. 2001/615.

(45) S.I. 1991/1074; amended by S.I. 2001/615.

(46) S.I. 1991/1247; the relevant amending instrument is S.I. 1992/2067.

(47) S.I. 1991/1395; the relevant amending instruments are S.I. 1991/1991, 1992/2068, 1994/2166, 1994/3156, 1997/1895, 2001/615 and 2001/818.

131. In rule 32(2), for “magistrates' courts committee” substitute “Lord Chancellor”.

*Family Proceedings Courts (Constitution) Rules 1991***(48)**

132. In rule 2—

(a) in paragraph (1), omit the definition of “commission area” and before the definition of “panel” insert the following definition:

““local justice area” has the same meaning as in the Courts Act 2003 (c. 39);” and

(b) In paragraph (2), for “petty sessions area” substitute “local justice area” and for “who ordinarily acts in and for” substitute “assigned to”.

133. In rule 3, for “Greater London Commission Area” substitute “Greater London”.

134. In rule 4—

(a) after paragraph (2) insert the following paragraph:

“(2A) In respect of the next meeting to be held after 1st April 2005 as provided in paragraph (2) above and in every third year thereafter, that paragraph shall have effect as if the reference to “each petty sessions area” were a reference to “each local justice area” and a panel in being on that date shall have effect as the panel for the local justice area corresponding (in accordance with the first order made under section 8 of the Courts Act 2003) to the petty sessions area for which it was formed.”; and

(b) in paragraphs (3) and (4), for “petty sessions area” substitute “local justice area”.

135. In rule 5—

(a) in paragraph (1)—

(i) in subparagraph (a) for “of the petty sessions area” substitute “for the local justice area”; and

(ii) at the end of subparagraph (b) after the semi-colon insert “and” and for subparagraphs (c) and (d) substitute:

“(c) he has indicated that he is willing to serve as a member of the panel.”;

(b) in paragraph (3), for “petty sessions area or areas which is situated in the commission area or areas to which he is appointed” substitute “local justice area or areas in which he acts as a justice of the peace”.

136. In rule 6, for “petty sessions area” substitute “local justice area”.

137. In rule 7—

(a) omit paragraph (1);

(b) for paragraph (2) substitute the following paragraph:

“(2) A designated officer for one local justice area (“the first local justice area”) may make a request to the designated officer for another local justice area (“the second local justice area”) for the temporary transfer of one or more justices from the panel for the second local justice area to the panel for the first local justice area for the purpose of hearing family proceedings specified in the request.”;

(c) in paragraph (3), for “justices' chief executive for the second commission area” substitute “designated officer for the second local justice area”;

(d) in paragraph (4), for “justices' chief executive” substitute “designated officer”;

(e) in paragraph (5), for “petty sessions area” substitute “local justice area”; and

- (f) In paragraph (6), for “a petty sessions area in a different commission area if the Lord Chancellor appoints the justice nominated for the transfer to the commission area within which the petty sessions area falls” substitute “another local justice area if the justice nominated for the transfer is assigned to that area by the Lord Chancellor”.

138. In rule 8(2) and in rule 9(1), for “justices' chief executive” substitute “designated officer for the local justice area”.

139. In rule 11—

- (a) for paragraph (2) substitute the following paragraph:

“(2) The Lord Chancellor may make a direction for the formation or dissolution of a combined panel in respect of two or more local justice areas.”;
- (b) after paragraph (2) insert the following paragraph:

“(2A) A combined panel in being on 1st April 2005 shall have effect as the combined panel for the local justice areas corresponding to the petty sessions areas for which it was formed.”;
- (c) in paragraph (3)—
 - (i) for “magistrates' courts committee” substitute “Lord Chancellor”;
 - (ii) for “petty sessions area specified in the direction for which it acts” substitute “local justice area specified in the direction”;
- (d) in paragraph (4), for “petty sessions area” substitute “local justice area”;
- (e) omit paragraphs (5) and (8);
- (f) in paragraph (6)(a), for “magistrates' courts committee” substitute “Lord Chancellor” and in that paragraph and in paragraphs (6)(b), (11) and (12), for “petty sessions areas” substitute “local justice areas”;
- (g) for paragraph (7) substitute the following paragraph:

“(7) A direction for the formation or dissolution of a combined family panel under paragraph (2) shall have effect on 1st January in the year following the next October meeting of the justices for each of the areas concerned held in accordance with rules made under section 17 of the Courts Act 2003 for the purpose of electing a chairman of the justices.”
- (h) in paragraph (9)—
 - (i) for “A magistrates' courts committee which has made a direction for the formation of a combined panel may” substitute “Where the Lord Chancellor has made a direction for the formation of a combined panel he may”; and
 - (ii) for “petty sessions area or petty sessions areas” substitute “local justice area or local justice areas”; and
- (i) in paragraph (10), omit the words from “or, in the case of a direction” to the end.

140. In rule 12—

- (a) in paragraph (1)—
 - (i) for “a magistrates' courts committee” substitute “the Lord Chancellor”;
 - (ii) for “petty sessions area” substitute “local justice area”;
 - (iii) for “petty sessions areas” substitute “local justice areas”; and
 - (iv) omit “rule 4(1) or, where that term has expired,”.
- (b) for paragraph (2) substitute the following paragraph:

Status: This is the original version (as it was originally made).

“(2) The meeting referred to in paragraph (1) shall be the meeting referred to in rule 11(7).”

- (c) in paragraph (3), for “5(1)(b) to (d)” substitute “5(1)(b) to (c)”
- (d) in paragraphs (4)(a), (b) and (c), for “petty sessions area” substitute “local justice area”; and
- (e) in paragraph (4)(d), for “petty sessions areas” (in both places) substitute “local justice areas”.

141. In rule 13—

- (a) in paragraph (1)—
 - (i) for “a magistrates' courts committee” substitute “the Lord Chancellor”;
 - (ii) for “petty sessions area” (in both places) substitute “local justice area”; and
 - (iii) omit “rule 4(1) or, where that term has expired,”; and
- (b) for paragraph (2) substitute the following paragraph:

“(2) The meeting referred to in paragraph (1) shall be the meeting of justices referred to in rule 11(7).”.

*Family Proceedings Courts (Matrimonial Proceedings etc) Rules 1991***(49)**

142. In the definition of “file” in rule 2(1) and in rule 3(2) (in the first place), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

143. In these Rules (except rules 2(1) and 3(2)), for “justices' chief executive” substitute “designated officer for the court”.

144. In rule 15(2), for “Magistrates' Courts Committee” substitute “Lord Chancellor”.

145. In rule 22(2)(a)(ii), for “acting for the same petty sessions area” substitute “acting in the same local justice area”.

146. In Forms 7 and FL 416 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

*Magistrates' Courts (Costs Against Legal Representatives in Civil Proceedings) Rules 1991***(50)**

147. In rule 2(5), (6) and (8), for “justices' chief executive” substitute “designated officer for the magistrates' court”.

148. In rule 3(4), (5) and (6), for “justices' chief executive” substitute “designated officer”.

*Immigration (Isle of Man) Order 1991***(51)**

149. In Part I of Schedule 1, for subparagraph (f) of paragraph 21 substitute the following subparagraph:

- “(f) in paragraph 8(1)—
 - (i) for the words “England or Wales”, where it first occurs, substitute “the Isle of Man”; and
 - (ii) omit the words from “in England or Wales” to the end;”

(49) S.I. 1991/1991; the relevant amending instruments are S.I. 1997/1894, 2001/615 and 2001/778.

(50) S.I. 1991/2096, amended by S.I. 2001/615.

(51) S.I. 1991/2630; the amending instruments are not relevant. Paragraph 8(1) of Schedule 3 to the Immigration Act 1971 (c. 77) is amended by paragraph 150(4) of Schedule 8 to the Courts Act 2003 (c. 39).

*Magistrates Courts (Remands in Custody) Order 1991***(52)**

150. In article 2, for the words from “those petty sessions areas” to the end substitute “local justice areas, within the meaning of the Courts Act 2003”.

*Council Tax (Administration and Enforcement) Regulations 1992***(53)**

151. In regulation 53, omit paragraphs (1) and (1A).

152. In regulation 57(3), for “justices' chief executive” substitute “designated officer”.

*Crown Office (Forms and Proclamations Rules) Order 1992***(54)**

153. In the table in article 2(2), for “Forms A to D in Part II” (in respect of Commissions of the Peace) substitute “Forms A and D in Part II”.

154. In Part II of the Schedule—

(a) omit Form B; and

(b) for the heading to Form A (Commissions of the Peace: England (outside London) and Wales) substitute the following heading

“Commission of the Peace: England and Wales”;

and in that form, for “the commission area of” and “the said commission area” (in each place) substitute “England and Wales”.

*Child Support (Information, Evidence and Disclosure) Regulations 1992***(55)**

155. In regulation 2(3)(a), for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Attendance Centre) Rules 1992***(56)**

156. In rule 3(1)(a), (3) and (4), for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Notice of Transfer) (Children's Evidence) Rules 1992***(57)**

157. In rules 3, 4 and 6, for “justices' chief executive” substitute “designated officer”.

*Magistrates' Courts (Children and Young Persons) Rules 1992***(58)**

158. In rules 14(1) and 27(1)(a), (3) and (4), for “justices' chief executive” substitute “designated officer”.

*Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992***(59)**

159. In regulations 5(4)(a)(iii) and 6(2)(a)(iii), for “justices' chief executive” substitute “designated officer”.

(52) S.I. 1991/2667, amended by S.I. 1997/35.

(53) S.I. 1992/613; the relevant amending instruments are S.I. 1996/675, 2001/362 and 2001/1076.

(54) S.I. 1992/1730; the relevant amending instruments are S.I. 1996/276 and 2000/3064.

(55) S.I. 1992/1812; the relevant amending instrument is S.I. 2001/161.

(56) S.I. 1992/2069; the relevant amending instrument is S.I. 2001/615.

(57) S.I. 1992/2070; the relevant amending instrument is S.I. 2001/615.

(58) S.I. 1992/2071; the relevant amending instrument is S.I. 2001/615.

(59) S.I. 1992/2645; the relevant amending instrument is S.I. 2001/161.

Status: This is the original version (as it was originally made).

Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993(60)

160. In Schedule 3 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 2 of the Order)—

- (a) in section 8 (enforcement of maintenance order registered in United Kingdom court)—
 - (i) in subsection (3A), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980(61) (“the 1980 Act”)), in subsection (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;
- (b) in section 9(1ZA) (variation of maintenance order registered in United Kingdom court)—
 - (a) in paragraphs (a) and (b) (in the subsection (3A) inserted, and the subsection (4)(b) substituted, in section 60 of the 1980 Act), for “a justices' chief executive” (in each place) substitute “the designated officer for the court or for any other magistrates' court”; and
 - (b) in paragraph (c), for “to the clerk” (substituted in subsection (5) of section 60 of the 1980 Act) substitute “to the designated officer for the court”.
- (c) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, acting for the same petty sessions district”;
- (d) in section 18 (magistrates' courts rules)—
 - (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to—” and in that paragraph, for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (e) in the definition of “prescribed” in section 21(1) omit—
 - (i) “in England and Wales or”,
 - (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
 - (iii) “as the case may be”.

Reciprocal Enforcement of Maintenance Orders (Republic of Ireland) Order 1993(62)

161. In Schedule 2 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 1)—

- (a) in section 8 (enforcement of maintenance order registered in United Kingdom court)—
 - (i) in subsection (3A)(a), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980), in subsections (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;

(60) S.I. 1993/593, amended by S.I. 2001/410. Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18) are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003.

(61) 1980 c. 43.

(62) S.I. 1993/594, amended by S.I. 2001/410. Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18) are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003 (c. 39).

- (b) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, for the same petty sessions district”;
- (c) in section 18 (magistrates' courts rules)—
 - (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to—”, and in that paragraph for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (d) in the definition of “prescribed” in section 21(1) (interpretation of Part I) omit—
 - (i) “in England and Wales or”,
 - (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
 - (iii) “as the case may be”.

*Family Proceedings Courts (Child Support Act 1991) Rules 1993***(63)**

162. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court”.

*Reciprocal Enforcement of Maintenance Orders (United States of America) Order 1995***(64)**

163. In Schedule 3 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 2 of the Order)—

- (a) in section 8 (enforcement of maintenance orders registered in United Kingdom court)—
 - (i) in subsection (3A)(a), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980 (“the 1980 Act”)), in subsection (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;
- (b) in section 9(1ZA) (variation of maintenance order registered in United Kingdom court)—
 - (i) in paragraph (a) (in the subsection (3A) inserted, and in subsection (4)(b) substituted, in section 60 of the 1980 Act), for “a justices' chief executive” (in each place) substitute “the designated officer for the court or for any other magistrates' court”; and
 - (ii) in paragraph (c), for “to the clerk” (substituted in subsection (5) of section 60 of the 1980 Act) substitute “to the designated officer for the court”;
- (c) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, acting for the same petty sessions district”;
- (d) in section 18 (magistrates' courts rules)—

(63) S.I. [1993/627](#); the relevant amending instrument is S.I. [2001/615](#).

(64) S.I. [1995/2709](#), amended by S.I. [2001/410](#). Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003.

Status: This is the original version (as it was originally made).

- (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to”; and in that paragraph, for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (e) in the definition of “prescribed” in section 21(1) (interpretation of Part I), omit—
- (i) “in England and Wales or”,
 - (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
 - (iii) “as the case may be”.

United Nations (International Tribunal) (Former Yugoslavia) Order 1996(65)

164. In article 7(2)(c) and (d), for “justices' chief executive” substitute “designated officer”.

165. In article 14(2), for “Justices' Chief Executive” substitute “Designated Officer”.

United Nations (International Tribunal) (Rwanda) Order 1996(66)

166. In article 7(2)(c) and (d), for “justices' chief executive” substitute “designated officer”.

167. In article 14(2), for “Justices' Chief Executive” substitute “Designated Officer”.

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules 1997(67)

168. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules 1997(68)

169. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules 1997(69)

170. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Fire Precautions (Workplace) Regulations 1997(70)

171. In regulation 14(5)(a), omit “acting for the petty sessions area in which any relevant workplace is situated”.

(65) S.I. 1996/716; the relevant amending instrument is S.I. 2000/3243.

(66) S.I. 1996/1296; the relevant amending instrument is S.I. 2000/3243.

(67) S.I. 1997/703, amended by S.I. 2001/615.

(68) S.I. 1997/704, amended by S.I. 2001/615.

(69) S.I. 1997/1055; the relevant amending instrument is S.I. 2001/615.

(70) S.I. 1997/1840; the amending instruments are not relevant.

Local Education Authority (Behaviour Support Plans) Regulations 1998(71)

172. In regulation 3(2)(n), for “justices' chief executive for each petty sessions area within the meaning of the Justices of the Peace Act 1997” substitute “designated officer for each local justice area within the meaning of the Courts Act 2003”.

Crime and Disorder Strategies (Prescribed Descriptions) Order 1998(72)

173. In article 3(2)(g), for “a magistrates' courts committee for an area any part of which is within that area” substitute “the Lord Chancellor”.

Transfer of Prisoners (Restricted Transfers) (Channel Islands and Isle of Man) Order 1998(73)

174. In paragraphs 5(6), 6(6) and 7(6) of Schedule 1, for “petty sessions area” (in both places) substitute “local justice area”.

Civil Procedure Rules 1998(74)

175. In Schedule 1, in RSC Order 79, paragraphs (6)(b), (8)(b) and (10)(b) of rule 9, RSC Order 109, paragraph (5) of rule 4 and RSC Order 116, paragraph (14)(a) of rule 10, for “justices chief executive” substitute “designated officer”.

176. In Schedule 2, in CCR Order 27—

- (a) paragraph (1)(b) of rule 4, for “justices' chief executive” and “chief executive” substitute “designated officer”; and
- (b) paragraph (3) of rule 10, for “justices' chief executive” substitute “designated officer”.

Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999(75)

177. In rules 3(1) and 4(2)(a), (3)(b) and (4), for “justices' chief executive” substitute “designated officer for the court” and in rule 4(5), for “justices' chief executive's” substitute “designated officer's”.

Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999(76)

178. In paragraphs 9 and 10(2) and (3) of Schedule 3, for “petty sessions area” substitute “local justice area”.

Sea Fishing (Enforcement of Community Control Measures) Order 2000(77)

179. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2000(78)

180. In article 6(4), for “petty sessions area” (in both places) substitute “local justice area”.

(71) S.I. 1998/644; the relevant amending instruments are S.I. 2001/606 and 2001/828.

(72) S.I. 1998/2452; the amending instruments are not relevant.

(73) S.I. 1998/2798.

(74) S.I. 1998/3132; the relevant amending instrument is S.I. 2001/256.

(75) S.I. 1999/681, amended by S.I. 2001/615.

(76) S.I. 1999/1748; the relevant amending instruments are not relevant.

(77) S.I. 2000/51; the amending instruments are not relevant.

(78) S.I. 2000/181; the amending instruments are not relevant.

Status: This is the original version (as it was originally made).

*Contaminated Land (England) Regulations 2000***(79)**

181. In regulation 8(6), for “justices' chief executive” substitute “designated officer for the court”.

*Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000***(80)(a)**

182. In regulation 10(11), omit “acting for the petty sessions area in which the applicant for the disabled person’s badge resides”.

*Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) Order 2000***(81)**

183. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000***(82)**

184. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000***(83)**

185. Article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2000***(84)**

186. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Community Conservation Measures) Order 2000***(85)**

187. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2000***(86)**

188. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (North-East Atlantic Control Measures) Order 2000***(87)**

189. In article 6(4), for “petty sessions area” (in both places) substitute “local justice area”.

*Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000***(88)**

190. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

(79) S.I. 2000/227; the relevant amending instrument is S.I. 2001/663.

(80) S.I. 2000/682; the amending instrument is not relevant.

(81) S.I. 2000/827, amended by S.I. 2000/2008 and 2001/1631.

(82) S.I. 2000/976.

(83) S.I. 2000/1075, amended by S.I. 2003/559.

(84) S.I. 2000/1078, amended by S.I. 2002/677.

(85) S.I. 2000/1081, amended by S.I. 2002/426 and 2002/794.

(86) S.I. 2000/1096.

(87) S.I. 2000/1843.

(88) S.I. 2000/2230.

Local Probation Boards (Appointment) Regulations 2000(89)

191. In regulation 5(2), for “a commission area falling” substitute “one or more local justice areas falling wholly or partly”.

Curfew Order and Curfew Requirement (Responsible Officer) Order 2001(90)

192. In the definition of “officer of the local probation board” in article 2, for “petty sessions area” substitute “local justice area”.

Race Relations Act 1976 (Statutory Duties) Order 2001(91)

193. In Schedule 1, omit “A magistrates' courts committee established under section 27 of the Justices of the Peace Act 1997.”

Civil Jurisdiction and Judgments Order 2001(92)

194. In Schedule 1—

- (a) in paragraph 1(4), for “acting for the same petty sessions area” substitute “acting in the same local justice area” and after “Northern Ireland,” insert “acting for the same”; and
- (b) in paragraph 3(8)(a), for “justices' chief executive” substitute “designated officer”.

Regulatory Reform (Special Occasions Licensing) Order 2001(93)

195. In article 6(1), for “chief executive to” substitute “designated officer for”.

196. In article 7(2), for “justices' chief executive” substitute “designated officer for the licensing justices”.

Goods Vehicles (Enforcement Powers) Regulations 2001(94)

197. In regulation 19, for paragraph (5) substitute the following paragraph:

- “(5) In paragraph (4), “appropriate court” means—
- (a) in England and Wales, a magistrates' court, or
 - (b) in Scotland, the sheriff court in the sheriffdom—
 - (i) in which the claimant resides (in the case of an individual);
 - (ii) where the principal or last known place of business of the claimant is situated (in the case of a partnership); or
 - (iii) where the registered or principal office of the claimant is situated (in the case of an incorporated or unincorporated body).”

Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) (No. 2) Rules 2001(95)

198. In rule 4(1), for “petty sessions area” substitute “local justice area”.

(89) S.I. 2000/3342; the amending instrument is not relevant.

(90) S.I. 2001/2234; the amending instrument is not relevant.

(91) S.I. 2001/3458; the amending instruments are not relevant.

(92) S.I. 2001/3929.

(93) S.I. 2001/3937; the amending instruments are not relevant.

(94) S.I. 2001/3981.

(95) S.I. 2001/4013; the amending instrument is not relevant.

Status: This is the original version (as it was originally made).

*Magistrates' Courts (Special Measures Directions) Rules 2002***(96)**

199. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

*Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002***(97)**

200. In the Schedule—

- (a) for “Justices' Chief Executive” in the first place in Parts I and Part II substitute “Designated Officer”; and
- (b) for other references to “Justices' Chief Executive” substitute “Designated officer for the Court”.

*Magistrates' Courts (Anti-Social Behaviour Orders) Rules 2002***(98)**

201. In rule 6—

- (a) in paragraph (2), for “petty sessions area” substitute “local justice area”;
- (b) in paragraph (4), for “justices' chief executive” substitute “designated officer for the court”; and
- (c) in paragraph (5), for “justices' chief executive” substitute “designated officer”.

202. In rule 7(2), for “justices' chief executive” substitute “designated officer for the court”.

203. In rule 8(2), for “magistrates' courts committee” substitute “Lord Chancellor”.

*Magistrates' Courts (Detention and Forfeiture of Cash) Rules 2002***(99)**

204. In rules 4(1) and (2), 6(1), 7(2)(a) and (b), 8(1) and 10(2) and (6)(b) and (d), for “justices' chief executive for the petty sessions area” substitute “designated officer for the local justice area”.

205. In rules 4(9), 5 (in each place), 6(2), (3) and (4), 7(1), (4) and (7), 8(2) and (3) (in both places), 10(3), (4), (6)(a), (b) (in the first place) and (d) (in the first place), 11(2) and Form A in the Schedule, for “justices' chief executive” substitute “designated officer”.

206. In rule 10(1), (5) and (6)(c), for “petty sessions area” substitute “local justice area”.

207. Omit rule 12.

208. In Forms A and G in the Schedule, for “Justices' Chief Executive” substitute “Designated Officer”.

*Crown Court (Confiscation, Restraint and Receivership) Rules 2003***(100)**

209. In rule 10—

- (a) in paragraph (1), for “a justices' chief executive” substitute “the designated officer for a magistrates' court”; and
- (b) in paragraph (5)(a), for “justices' chief executive” substitute “designated officer”.

210. In rule 26(6), for “justices' chief executive” substitute “designated officer”.

(96) S.I. 2002/1687; the amending instrument is not relevant.

(97) S.I. 2002/1838, amended by S.I. 2004/3169.

(98) S.I. 2002/2784; the amending instrument is not relevant.

(99) S.I. 2002/2998; the relevant amending instrument is S.I. 2003/638.

(100) S.I. 2003/421.

Immigration and Asylum Act 1999 (Jersey) Order 2003(101)

211. In the modification in the right-hand column of the Schedule of section 28K(10) of the Immigration Act 1971 as inserted in that Act by section 138 of the Immigration and Asylum Act 1999, for “justices' chief executive” substitute “designated officer”.

Sea Fishing (Restriction on Days at Sea) (No. 2) Order 2003(102)

212. In article 13(3), for “petty sessions area” (in both places) substitute “local justice area”.

Magistrates' Courts (Forfeiture of Political Donations) Rules 2003(103)

213. In rule 1(2)(f), omit the definition of “relevant petty sessions area”.

214. In rule 2(1), for “justices' chief executive for the relevant petty sessions area” substitute “designated officer for a magistrates' court”.

215. In rule 3(1), for “petty sessions area” substitute “local justice area”.

216. In rules 3(2), 4(3) and (5) and 5(4), for “justices' chief executive” substitute “designated officer for the court”.

217. In the Schedule, for “Justices' Chief Executive” (in each place) substitute “Designated Officer”.

Advanced Television Services Regulations 2003(104)

218. In paragraph 8 of the Schedule—

- (a) in subparagraph (1), for “acting for” substitute “acting in” and for “petty sessions area” (in both places) substitute “local justice area”;
- (b) in subparagraph (3), for “acting for the relevant petty sessions area” substitute “acting in the relevant local justice area”; and
- (c) in subparagraph (11), for “petty sessions area” substitute “local justice area”.

Immigration and Asylum Act 1999 (Guernsey) Order 2003(105)

219. In the modification in the right-hand column of the Schedule of section 28K(10) of the Immigration Act 1971 as inserted in that Act by section 138 of the Immigration and Asylum Act 1999, for “justices' chief executive” substitute “designated officer”.

Family Proceedings Courts (Constitution) (Greater London) Rules 2003(106)

220. In rules 1(2) and 4(4), for “the Greater London area” substitute “Greater London”.

221. In rule 2—

- (a) omit the definition of “Greater London commission area”; and
- (b) after the definition of “justice”, insert the following definition:

(101) S.I. 2003/1252. Section 28K of the Immigration Act 1971 (c. 77) is amended by paragraph 148 of Schedule 8 to the Courts Act 2003 (c. 39).

(102) S.I. 2003/1535, amended by S.I. 2004/398.

(103) S.I. 2003/1645.

(104) S.I. 2003/1901.

(105) S.I. 2003/2900. Section 28K of the Immigration Act 1971 is amended by paragraph 148 of Schedule 8 to the Courts Act 2003.

(106) S.I. 2003/2960.

Status: This is the original version (as it was originally made).

“local justice area” has the same meaning as in the Courts Act 2003’.

222. In rule 4, for paragraphs (1) to (3) substitute the following paragraphs:

“(2) There shall be one panel for Greater London formed of justices nominated from time to time by the Lord Chancellor in accordance with these Rules.

(3) Justices who form the first panel after 1st April 2005 shall serve for a term of three years commencing on 1st January in the year following the expiry of the term of the previous panel.”.

223. In rule 5(1)(a), for “acts for the Greater London area” substitute “acts in a local justice area in Greater London”.

224. Omit rule 9.

Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004(107)

225. In article 3(2)(g), for “a magistrates' courts committee for an area any part of which is within that local government area” substitute “the Lord Chancellor”.

Sea Fishing (Restriction on Days at Sea) Order 2004(108)

226. In article 15(3), for “petty sessions area” (in both places) substitute “local justice area”.

Magistrates' Courts (Foreign Travel Orders) Rules 2004(109)

227. In rule 3(4), for “Justices' Chief Executive” substitute “designated officer for the court”.

Magistrates' Courts (Notification Orders) Rules 2004(110)

228. In rule 3(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

Magistrates' Courts (Risk of Sexual Harm Orders) Rules 2004(111)

229. In rule 3(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

Magistrates' Courts (Sexual Offences Prevention Orders) Rules 2004(112)

230. In rule 4(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (England) Order 2004(113)

231. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

Discharge of Fines by Unpaid Work (Pilot Schemes) Order 2004(114)

232. In article 2, for “petty sessions areas” substitute “local justice areas”.

(107) S.I. 2004/118; the amending instrument is not relevant.

(108) S.I. 2004/398.

(109) S.I. 2004/1051.

(110) S.I. 2004/1052.

(111) S.I. 2004/1053.

(112) S.I. 2004/1054.

(113) S.I. 2004/1237.

(114) S.I. 2004/2198.

233. In the Schedule, for “Petty Sessions Areas” (in each place) substitute “Local Justice Areas”.

*Magistrates' Courts (Reports Relating to Adult Witnesses) Rules 2004***(115)**

234. In these Rules, for “justices' chief executive” (In each place) substitute “designated officer”.

*Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2004***(116)**

235. In article 16(3), for “petty sessions area” (in both places) substitute “local justice area”.

*Incidental Catches of Cetaceans in Fisheries (England) Order 2005***(117)**

236. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

EXPLANATORY NOTE

(This Note is not part of the Order)

The Courts Act 2003 (“the Act”) creates a new structure for magistrates' courts in England and Wales. It provides for a commission of the peace in England and Wales (section 7 of the Act) in place of the commission areas which are abolished with the repeal of the Justices of the Peace Act 1997 (c. 25) (“the 1997 Act”) (sections 6(4) and 109(3) of, and Schedule 10 to, the Act).

With the repeal of the 1997 Act petty sessions areas will cease to exist and under section 8 of the Act England and Wales will be divided into local justice areas, in the first instance with the same boundaries as the former petty sessions areas (paragraph 3 of Schedule 9 to the Act).

The Greater London Magistrates' Courts Authority and magistrates' courts committees outside Greater London and the office of justices' chief executive are abolished (section 6 of the Act). Certain functions of justices' chief executives are to be transferred to designated officers (section 37 of, and Schedule 8 to, the Act).

Accordingly this Order makes consequential amendments to the subordinate legislation specified in the Schedule corresponding to those made by Schedule 8 to the Act to primary legislation.

(115) S.I. [2004/2419](#).

(116) S.I. [2004/3226](#).

(117) S.I. [2005/17](#).