

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.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. Para. 91–94 revoked by [S.I. 2005/2804 Sch.](#)
- Sch. para. 200 revoked by [S.I. 2010/64 art. 3\(c\)](#)
- Sch. para. 30 revoked by [S.I. 2014/879 Sch.](#)
- Sch. para. 179 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 180 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 180 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 183-185 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 187-190 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 212 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 235 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 236 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked by [S.I. 2005/2804 Sch.](#)
- art. 2 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked (in part) by [S.I. 2010/64 art. 3\(c\)](#) (revoked only insofar as it applies to SI 2005/617 Sch. para 200)