



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Magistrates' courts areas and officers

164 Alteration of names of petty sessions areas.

- (1) The Justices of the ^{M1}Peace Act 1979 shall be amended as follows.
- (2) The following sections shall be inserted after section 24—

“24A Alteration of names of petty sessions areas outside inner London area.

- (1) Subject to the provisions of this and the next section, a magistrates' courts committee for an area mentioned in section 19(2) above other than the City of London may at any time submit to the Secretary of State a draft order altering the name of the petty sessions area for which they are the committee or, if they are the committee for more than one petty sessions area, the name of any of those areas.
- (2) Subject to the provisions of this and the next following section, where such a committee submit a draft order to the Secretary of State under this section, he may by statutory instrument make the order either in the terms of the draft or with such modifications as he thinks fit.
- (3) Any order under this section may contain transitional and other consequential provisions.

Status: Point in time view as at 01/04/1995.

Changes to legislation: Criminal Justice Act 1988, Cross Heading: Magistrates' courts areas and officers is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

24B Procedure relating to s. 24A.

- (1) Before submitting to the Secretary of State a draft order under section 24A of this Act, a magistrates' courts committee—
 - (a) shall consult the council of the non-metropolitan county, metropolitan district or outer London borough concerned and the magistrates of the petty sessions area to which their proposals relate; and
 - (b) after complying with paragraph (a) above, shall send a copy of their proposals to every interested authority and take into consideration any objections made in the prescribed manner and within the prescribed time.
- (2) A magistrates' courts committee submitting to the Secretary of State a draft order under section 24A of this Act shall comply with such requirements (if any) as to notice as may be prescribed; and the Secretary of State, before making an order under that section otherwise than in accordance with a draft submitted to him by the magistrates' court committee, shall send a copy of his proposals to the committee, to the council of the non-metropolitan county, metropolitan district or outer London borough concerned and, if a non-metropolitan county is concerned, every interested authority.
- (3) Before making any order under section 24A of this Act the Secretary of State shall take into consideration any objections made in the prescribed manner and within the prescribed time, and may cause a local inquiry to be held.
- (4) For the purposes of this section—
 - (a) “interested authority” , in relation to any order or draft order concerning a non-metropolitan county, means the council of any district in the county which is wholly or partly included in the area to which the order or draft order relates; and
 - (b) an order shall be deemed to be made in accordance with a draft order if either it is made in terms of the draft order or the departures from the draft order do not, in the opinion of the Secretary of State, effect important alterations in the draft order.”

^{F1}(3)

<p>Textual Amendments</p> <p>F1 S. 164(3) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt.II; S.I. 1995/685, arts. 4(n), 8(r)</p> <hr/> <p>Marginal Citations</p> <p>M1 1979 c. 55.</p>

^{F2}165

<p>Textual Amendments</p> <p>F2 S. 165 repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt.II; S.I. 1995/685, arts. 4(n), 8(r)</p>
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