



Access to Justice Act 1999

1999 CHAPTER 22

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Territorial organisation

74 Commission areas

- (1) For sections 1 and 2 of the Justices of the Peace Act 1997 (commission areas outside London and London commission areas) substitute—

“1 Commission areas

- (1) England and Wales shall be divided into areas for each of which there shall be a commission of the peace.
- (2) The areas shall be as specified by the Lord Chancellor by order made by statutory instrument; but a commission area may not consist of an area partly within and partly outside Greater London.
- (3) An area for which there is a commission of the peace shall be known as a commission area.”

- (2) In that Act, after section 32 insert—

“32A Alteration of commission areas

- (1) A magistrates' courts committee may at any time submit to the Lord Chancellor written proposals for an alteration of any commission area which includes the whole or any part of their area.
- (2) Before submitting such proposals the magistrates' courts committee shall consult—

Status: This is the original version (as it was originally enacted).

- (a) the magistrates for their area or that of any affected magistrates' courts committee; and
 - (b) any affected magistrates' courts committee.
- (3) Before making an order under section 1(2) above which makes an alteration of a commission area, other than an order which implements proposals submitted to him under subsection (1) above, the Lord Chancellor shall consult—
 - (a) the magistrates for the area of any affected magistrates' courts committee; and
 - (b) any affected magistrates' courts committee.
- (4) For the purposes of subsection (3) above an order shall be taken to implement proposals if it implements them without changes or any departures from the proposals do not, in the opinion of the Lord Chancellor, effect important changes in the proposals.
- (5) An order under section 1(2) above which makes an alteration of a commission area may contain such consequential and transitional provisions as appear to the Lord Chancellor to be necessary or expedient.
- (6) A statutory instrument containing an order under section 1(2) above which makes an alteration of a commission area shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section references to the alteration of a commission area include (as well as a change in the boundaries of the area)—
 - (a) the combination of the area with another commission area; and
 - (b) the division of the area between two or more commission areas.
- (8) For the purposes of this section a magistrates' courts committee is affected by proposals or a proposed order if the alteration proposed would affect any commission area which includes the whole or any part of their area.”