***Status:*** *Point in time view as at 01/10/2018.*
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# SCHEDULES

## SCHEDULE 8

Section 109(1)

### MINOR AND CONSEQUENTIAL AMENDMENTS

*Parochial Libraries Act 1708 (c. 14)*

1 In section 10 (warrant to search for lost books), omit "for the commission area".

*Distress for Rent Act 1737 (c. 19)*

2 In section 4 (application to justices where goods carried off or concealed), omit "of the same commission area".

3 In section 16 (possession of property deserted by tenant), omit "of the county, riding, division, or place".

*Inclosure Act 1773 (c. 81)*

4 In section 4 (issue of warrant for recovery of expenses by distress and sale), omit—

(a) "under the hand and seal", and

(b) "of the commission area wherein such common field lands shall lie".

*Sale of Farming Stock Act 1816 (c. 50)*

5 In section 10 (indemnity to sheriff and others acting under the provisions of the Act), for "or under sheriff" substitute " , under sheriff or other officer ".

*Burial Ground Act 1816 (c. 141)*

6 In section 2 (verification of value of land), omit "for the commission area in which such land is situated".

*Inclosure and Drainage (Rates) Act 1833 (c. 35)*

7 In section 1 (recovery of rates or assessments), omit "acting for any commission area, in petty sessions assembled".

8 In section 2 (form of warrant or distress), omit "for the said (county, riding, or division, as the case may be)".

*Judgments Act 1838 (c. 110)*

9 In section 12 (sheriff may seize money, bank notes, etc.), after "poundage and expences" insert " or other officer's fees ".

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*Metropolitan Police Act 1839 (c. 47)*

10 For section 75 (meaning of "magistrate"), substitute—

"**75 Meaning of "magistrate" in this Act**

In this Act "magistrate" means any two justices of the peace sitting together in public."

*Ordnance Survey Act 1841 (c. 30)*

11 In section 2 (dispute as to damage caused during survey)—

(a) for "by any two or more justices in petty sessions assembled of the place in which the lands, grounds, heritages, or trees may be situate" substitute " by a magistrates' court ", and

(b) for "the justices, may appeal" substitute " the magistrates' court, may appeal ".

*Railway Regulation Act 1842 (c. 55)*

12 [F1] . . . . . .

**Textual Amendments**

**F1** Sch. 8 para. 12 repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 174(2), **Sch. 17 Pt. 2**; S.I. 2005/3495, **art. 2(1)(t)(u)(lv)** (subject to art. 2(2))

*Defence Act 1842 (c. 94)*

13 (1) In section 24 (compensation for damage caused by temporary buildings), omit "of the county, riding, city, or place".

(2) This paragraph extends only to England and Wales.

*London Hackney Carriages Act 1843 (c. 86)*

14 (1) Amend section 24 (proceedings with respect to licences on quitting service) as follows.

(2) Re-number the existing provision subsection (1).

(3) In that subsection—

(a) for "any time not exceeding" substitute " a time which, excluding any day mentioned in subsection (2), does not exceed ",

(b) for "the magistrates' court for the petty sessions area in which the said proprietor shall dwell" substitute " a magistrates' court ",

(c) for "at the time of applying" substitute " when applying ",

(d) for "justices' chief executive for such" substitute " designated officer for the ",

(e) for "twenty-four hours, exclusive of Sunday or any day on which the magistrates' court shall not sit," substitute " that time ", and

(f) for "at the same magistrates' court" substitute " to a magistrates' court ".

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(4) After that subsection insert—

"(2) The days are—

(a) Saturday or Sunday;

(b) Christmas Day or Good Friday;

(c) a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971."

*Companies Clauses Consolidation Act 1845 (c. 16)*

15 In section 3 (interpretation), omit the words from "The word "justice"" to "acting together in petty sessions".

16 In section 18 (transmission of shares by other means than transfer to be authenticated by a declaration), for the words from "before a justice" to "and such declaration" substitute " before a justice or a person authorised to administer oaths; and such declaration ".

17 In section 33 (evidence as to forfeiture of shares), for the words from "before any justice" to "that the call" substitute " before any justice or a person authorised to administer oaths, that the call ".

18 Paragraphs 15 to 17 extend only to England and Wales.

*Lands Clauses Consolidation Act 1845 (c. 18)*

19 (1) In section 3 (interpretation), omit the words from "The word "justices"" to "acting together".

(2) This paragraph extends only to England and Wales.

*Railway Clauses Consolidation Act 1845 (c. 20)*

20 In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

21 In section 11 (limiting deviation from datum line described on sections, etc.)—

(a) for "in petty sessions assembled for that purpose, and acting for the district" substitute " acting in the local justice area ", and

(b) for the words from "every petty sessions" to "holding of such petty sessions" substitute " every hearing before two or more justices to be held for the purpose of obtaining their consent as mentioned above shall, at least 14 days before the hearing ".

22 In section 46 (crossings of roads—level crossings), omit "in petty sessions".

23 In section 59 (proceedings on application to justices to consent to level crossings over highways other than public carriage roads)—

(a) for "fourteen days at least previous to the holding of the petty sessions at which such application is intended to be made" substitute " at least 14 days before the application is intended to be made ",

(b) for "acting for the district" substitute " acting in the local justice area ", and

(c) omit ", and assembled in petty sessions,".

24 Paragraphs 20 to 23 extend only to England and Wales.

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*Geological Survey Act 1845 (c. 63)*

25 In section 1 (dispute as to damage caused during survey), for "by any two or more justices of the peace, in petty sessions assembled, of the place where the lands or trees may be situate" substitute " by a magistrates' court ".

26 In section 6 (interpretation), for "the word "justices" shall include all persons acting in the commission of the peace and" substitute " the words "magistrates' court" shall include ".

*Markets and Fairs Clauses Act 1847 (c. 14)*

27 (1) In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

(2) This paragraph does not extend to Northern Ireland.

*Harbours, Docks and Piers Clauses Act 1847 (c. 27)*

28 (1) In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

(2) This paragraph does not extend to Northern Ireland.

*Towns Improvement Clauses Act 1847 (c. 34)*

29 (1) In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

(2) This paragraph does not extend to Northern Ireland.

*Cemeteries Clauses Act 1847 (c. 65)*

30 (1) In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

(2) This paragraph does not extend to Northern Ireland.

*Town Police Clauses Act 1847 (c. 89)*

31 (1) In section 3 (interpretation), omit the words from "The word "justice"" to "acting together:".

(2) This paragraph does not extend to Northern Ireland.

*Hares Act 1848 (c. 29)*

32 **[**[F2]In section 2 (registration of authorisation)—

(a) for "clerk of the magistrates acting for the petty sessions area" substitute " designated officer for the local justice area ", and

(b) for "clerk of the magistrates as" substitute " designated officer as ".**]**

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**Textual Amendments**

**F2** Sch. 8 para. 32 repealed (E.W.) (1.8.2007) by The Regulatory Reform (Game) Order (S.I. 2007/2007), art. 6, {Sch. para. 1(q)}

*Indictable Offences Act 1848 (c. 42)*

33 In section 13 (English warrants may be backed in the Isles of Man, Guernsey, Jersey, Alderney or Sark, and vice versa)—

(a) omit "any county, riding, division, liberty, city, borough, or place in" (in both places),

(b) for "and for the county or place into which such person shall escape or go, or where he shall reside or be, or be supposed or suspected to be," substitute " England and Wales ",

(c) for "indorsing the same has jurisdiction" substitute " indorsing the same is acting or has jurisdiction ",

(d) for "issued such warrant or process shall have jurisdiction" substitute " issued such warrant or process is acting or has jurisdiction ", and

(e) for "had been apprehended within his jurisdiction" substitute " had been apprehended in England or Wales or (as the case may be) within his jurisdiction ".

*Evidence Act 1851 (c. 99)*

34 In section 13(2)(a) (proof of conviction of defendant by copy of certified record), for "justices' chief executive" substitute " designated officer ".

*Inclosure Act 1859 (c. 43)*

35 In section 4 (how damage to be assessed), for "for the county or riding or other division or place within which" substitute " acting in the local justice area in which ".

36 In section 6 (justices' warrant for distress), for "of such county or riding, or other district or place as aforesaid, shall, by warrant under their hands and seals," substitute " acting in the local justice area shall by warrant ".

*Ecclesiastical Courts Jurisdiction Act 1860 (c. 32)*

37 In section 2 (offence of making a disturbance in churches, chapels, churchyards etc.)—

(a) for "before two justices of the peace" substitute " by a magistrates' court ",

(b) for "a penalty of not more than" substitute " a fine not exceeding ", and

(c) for "for every such offence, or may, if the justices before whom he shall be convicted think fit, instead of being subjected to any pecuniary penalty, be committed to prison for any time" substitute " or to imprisonment for a term ".

38 In section 3 (power to arrest offenders and take them before a justice of the peace), for "justice of the peace of the county or place where the said offence shall have been so committed," substitute " magistrates' court ".

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39 Paragraphs 37 and 38 do not extend to Northern Ireland.

*Defence Act 1860 (c. 112)*

40 (1) In section 47 (interpretation), omit the words from "The word "justices"" to "acting together:".

(2) This paragraph extends only to England and Wales.

*Offences Against the Person Act 1861 (c. 100)*

41 In section 44 (if magistrates dismiss case of assault or battery, they must make out certificate to that effect), omit"under their hands".

42 In section 65 (justices may issue search warrants for explosive substances)—

(a) for "Any justice of the peace of any county or place in which" substitute " Where ",

(b) after "in this Act mentioned," insert " a justice of the peace, ", and

(c) omit "under his hand and seal".

43 Paragraphs 41 and 42 do not extend to Northern Ireland.

*Poaching Prevention Act 1862 (c. 114)*

44 (1) In section 1 (interpretation), omit from "; and the words "justice" and "justices"" onwards.

(2) This paragraph does not extend to Northern Ireland.

45 In section 2 (summons to appear before justice of the peace)—

(a) after "citing such person to appear before" insert " , in England and Wales, a magistrates' court or ",

(b) omit "England and", and

(c) for "forfeit and pay any sum" substitute " be liable to a fine ".

46 In section 3 (recovery of penalties), omit "in England in the same manner as penalties under the Game Act 1831 and".

*Criminal Procedure Act 1865 (c. 18)*

47 In section 6(2)(a) (proof of conviction of witness by signed certificate), for "justices' chief executive" substitute " designated officer ".

*Dockyard Ports Regulation Act 1865 (c. 125)*

48 (1) In section 2 (interpretation), omit the words from "The term "justice"" to "arises:".

(2) This paragraph does not extend to Northern Ireland.

49 In section 22 (jurisdiction of justice of the peace), for "Where any district" substitute—

"(1) For the purposes of this Act, where a local justice area in England and Wales abuts on the shore of the sea or other navigable water, any magistrates' court in England and Wales has jurisdiction over—

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(a) any vessel which is near or passes near the shore, and
(b) every person on board the vessel or belonging to it,

as if the vessel or person were in England and Wales.

(2) Where any other district."

*Newspapers, Printers and Reading Rooms Repeal Act 1869 (c. 24)*

50 In Schedule 2 (which sets out enactments continued in force under section 1)—

(a) in section 29 of the Unlawful Societies Act 1799 (penalty for neglecting or refusing to produce copy), for "forfeit and lose the sum" substitute " be liable on summary conviction to a fine ",
(b) in section 34 of the 1799 Act (prosecutions to be commenced within 3 months), omit "or sued" and ", or such action shall be brought,",
(c) omit section 35 of the 1799 Act (recovery of penalties),
(d) omit section 36 of the 1799 Act (application of penalties), and
(e) in section 2 of the Printers and Publishers Act 1839 (penalty upon printers for not printing their name, etc.), for "forfeit a sum not more than" substitute " be liable on summary conviction to a fine not exceeding ".

*Promissory Oaths Act 1871 (c. 48)*

51 In section 2 (persons before whom oaths to be taken), for the paragraph beginning "In England" substitute—

"In England and Wales—

(a) before the Lord Chancellor, or
(b) in open court before one or more judges of the High Court or before one or more Circuit judges."

*Prevention of Crimes Act 1871 (c. 112)*

52 In paragraph (a) of the last sentence of section 18 (proof of conviction by certificate or copy of conviction), for "justices' chief executive" substitute " designated officer ".

*Fairs Act 1873 (c. 37)*

53 The amendments of section 6 (alteration of fair day on representation of local authority) made by—

(a) paragraph 10 of Schedule 10 to the Access to Justice Act 1999, and
(b) paragraph 5 of Schedule 13 to that Act,

shall be treated as if they had never had effect.

*Commons Act 1876 (c. 56)*

54 In section 20 (prohibition of gravel digging on certain commons without authority of justices), for "in petty sessions assembled, and acting in and for the petty sessions area in which such common is situate," substitute " of the peace ".

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*Municipal Corporations Act 1882 (c. 50)*

55 In section 153(3) (issue of warrant following failure by borough to pay sum due to county), omit "for a commission area consisting of or including the whole or part of the county".

*Explosive Substances Act 1883 (c. 3)*

56 (1) In section 6(1) (inquiry into offences)—

(a) omit "for the county, borough, or place in which the crime was committed or is suspected to have been committed,",

(b) omit "sit at a petty sessional or occasional court-house, or police station in the said county, borough or place, and", and

(c) for "the next petty sessions, or" substitute " a magistrates' court ".

(2) This paragraph does not extend to Northern Ireland.

57 In section 9(2) (application of Act to Scotland), for " "petty sessional court house"" substitute " "magistrates' court" ".

*Sheriffs Act 1887 (c. 55)*

58 In section 7(1) (declaration of office), for the words from "effect before" onwards substitute "effect—

(a) before one of the judges of Her Majesty's High Court; or

(b) in the county of which he is sheriff before a justice of the peace."

59 In section 17 (disqualification from acting as justice of the peace), for "peace for" substitute " peace in any local justice area consisting of or including the whole or a part of ".

60 In section 23(3) (declaration of office by under-sheriff), for the words from "effect before" onwards substitute "effect—

(a) before one of the judges of Her Majesty's High Court; or

(b) in the county for which such under-sheriff is appointed before a justice of the peace."

61 (1) Amend section 26 (declaration by bailiffs, etc.) as follows.

(2) Re-number the existing provision subsection (1).

(3) In that subsection, for the words from "effect before" onwards substitute "effect—

(a) before any judge of the High Court; or

(b) in the county in which he exercises his authority before a justice of the peace."

(4) After that subsection insert—

"(2) Subsection (1) does not apply to any enforcement officer or any person acting under the authority of an enforcement officer."

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**Commencement Information**

**I1** Sch. 8 para. 61 wholly in force; Sch. 8 para. 61 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 61(1)(2)(4) in force at 15.3.2004 by S.I. 2004/401, **art. 2(b)(iii)** (with art. 3); Sch. 8 para 61(3) in force at 1.4.2005 insofar as not already in force by S.I. 2005/910, **art. 3(y)**

62 In section 29 (punishment for misconduct), after subsection (2) insert—

"(2A) Subsection (2) does not apply to any enforcement officer or any person acting under the authority of an enforcement officer."

63 In section 38 (definitions), after the definition of "county" insert—

""enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003;", and omit from "Any reference" to the end of the section.

**Commencement Information**

**I2** Sch. 8 para. 63 partly in force; Sch. 8 para. 63 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 63 in force for certain purposes at 15.3.2004 by S.I. 2004/401, **art. 2(b)(iii)** (with art. 3); Sch. 8 para. 63 in force 1.4.2005 insofar as not already in force by S.I. 2005/910, **art. 3(y)**

*Local Government Act 1888 (c. 41)*

64 In section 28(2) (power of county council to delegate to justices functions relating to contagious diseases of animals), for "for a commission" substitute " acting in a local justice ".

*Behring Sea Award Act 1894 (c. 2)*

[F3]65 . . . . . .

**Textual Amendments**

**F3** Sch. 8 para. 65 repealed (1.4.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 22 Pt. 5(C)**; S.I. 2010/298, art. 2, Sch. para. 12

*Public Health Acts Amendment Act 1907 (c. 53)*

66 In section 94(7) (licensing of pleasure boats: appeals to magistrates' court), for "justices' chief executive for the court" substitute " designated officer for the court ".

*Indictments Act 1915 (c. 90)*

67 In section 2(2) (powers of rule committee), for the words preceding "shall have power" substitute " The Criminal Procedure Rule Committee ".

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**Commencement Information**

**I3** Sch. 8 para. 67 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(i)** (subject to art. 3)

*Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)*

68 In section 3(4) (return of order to original court for further evidence to be taken), omit "appointed for the same commission area".

F4 69 . . . . . .

**Textual Amendments**

**F4** Sch. 8 para. 69 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

70 (1) In section 7(2) (power to make rules about proceedings under the Act), for the words from "Without prejudice" to "such rules" substitute " For the purpose of giving effect to this Act rules of court ".

(2) Sub-paragraph (1) does not extend to Northern Ireland.

*Criminal Justice Act 1925 (c. 86)*

71 In section 33(4) (rules about service of documents on a corporation), omit ", except in so far as such provision may be made by rules under section 144 of the Magistrates' Courts Act 1980".

**Commencement Information**

**I4** Sch. 8 para. 71 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(ii)** (subject to art. 3)

*Children and Young Persons Act 1933 (c. 12)*

72 In section 7(2) (offence of selling tobacco to persons under 16: complaint to court of summary jurisdiction), for "court of summary jurisdiction" substitute " magistrates' court ".

73 (1) Amend section 25 (restrictions on persons under 18 going abroad to perform for profit) as follows.

(2) In subsection (6), for "court of summary jurisdiction" substitute " relevant court ".

(3) After subsection (10), insert—

"(11) In this section "the relevant court"—

(a) in relation to England and Wales, means a magistrates' court;

(b) in relation to Scotland, means a sheriff court;

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(c) in relation to Northern Ireland, means a court of summary jurisdiction."

74 (1) Amend section 46 (assignment of certain matters to youth courts) as follows.

(2) In subsection (1), for "court of summary jurisdiction" (in each place) substitute " magistrates' court ".

(3) In subsection (1A), for "justices' chief executive for" substitute " designated officer for ".

75 In section 48(3) (remand of child or young person by youth court), for "for the same petty sessions area or place" substitute " in the same local justice area ".

76 Omit section 101 (application of Summary Jurisdiction Acts).

77 In section 102(1) (appeals to Crown Court), for "court of summary jurisdiction" substitute " magistrates' court ".

*Foreign Judgments (Reciprocal Enforcement) Act 1933 (c. 13)*

78 (1) In section 3(1) (power to make rules of court for purposes of Act), for "rules of court under section 84 of the Supreme Court Act 1981" substitute " Civil Procedure Rules ".

(2) Sub-paragraph (1) extends only to England and Wales.

*Public Offices (Site) Act 1947 (c. 45)*

79 Omit section 7 (correction of errors in deposited plan and book of reference).

*The National Assistance Act 1948 (c. 29)*

80 [F5] . . . . . .

**Textual Amendments**

**F5** Sch. 8 para. 80 repealed (S.) (5.10.2007) by Adult Support and Protection (Scotland) Act 2007 (asp. 10), ss. 77(2), 79(3), **Sch. 2**; S.S.I. 2007/334, art. 2(b), **Sch. 2** (with arts. 4-6)

81 (1) Amend section 47 (removal to suitable premises of persons in need of care and attention) as follows.

(2) In subsection (2), for "a court of summary jurisdiction having jurisdiction in the place where the premises are situated" substitute " the court ".

(3) After subsection (12) insert—

"(12A) In this section, "the court"—

(a) in England and Wales, means a magistrates' court acting in the local justice area where the premises are situated;

(b) in Scotland, means the sheriff having jurisdiction in the place where the premises are situated."

82 Omit section 65(c) (in application of Act to Scotland, references to court of summary jurisdiction to be read as references to sheriff).

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*Criminal Justice Act 1948 (c. 58)*

83 For section 37(4) (recommittal following appeal etc.) substitute—

"(4) Criminal Procedure Rules may be made for authorising the recommittal, in such cases and by such courts or justices as may be prescribed by the rules, of persons released from custody under this section."

**Commencement Information**

**I5** Sch. 8 para. 83 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(iii)** (subject to art. 3)

*Prevention of Damage by Pests Act 1949 (c. 55)*

84 (1) Amend section 15 (appeal against directions) as follows.

(2) In subsection (1), omit "for the petty sessions area or place in which the works are required to be carried out or, as the case may be, in which the food or container is for the time being situated".

(3) In subsection (5), for "from "to a court" to the end of the subsection" substitute " "to a court of summary jurisdiction" ".

*Marriage Act 1949 (c. 76)*

[F6]85 . . . . . .

**Textual Amendments**

**F6** Sch. 8 para. 85 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

*National Parks and Access to the Countryside Act 1949 (c. 97)*

86 In section 68(3) (complaint to court about access requirement), omit "for the petty sessions area or place within which the land to which the notice relates is situated".

*Maintenance Orders Act 1950 (c. 37)*

87 In section 17(1)(a) (registration of maintenance orders in England), for "for the same place" substitute " acting in the same local justice area ".

[F7]88 . . . . . .

**Textual Amendments**

**F7** Sch. 8 paras. 88-90 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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[F7]89 . . . . . .

**Textual Amendments**

**F7** Sch. 8 paras. 88-90 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F7]90 . . . . . .

**Textual Amendments**

**F7** Sch. 8 paras. 88-90 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

91 (1) Amend section 25 (rules as to procedure of magistrates' courts) as follows.

(2) Omit subsection (1).

(3) In subsection (3)—

(a) after "Rules" insert " of court ", and

(b) in paragraph (a), for the words from "by means of" onwards, substitute " in accordance with the rules ".

(4) Sub-paragraph (3) does not extend to Northern Ireland.

**Commencement Information**

**I6** Sch. 8 para. 91 partly in force; Sch. 8 para. 91 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para 91(1)(3)(4) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

**I7** Sch. 8 para. 91(2) in force at 6.4.2011 by S.I. 2010/2921, **art. 3(b)**

92 (1) Amend section 28(1) (interpretation) as follows.

[F8](2) . . . . . .

(3) In the definition of "prescribed", omit—

(a) "England or",

(b) "by rules made under section fifteen of the Justices of the Peace Act 1949, or", and

(c) "as the case may be,".

**Textual Amendments**

**F8** Sch. 8 para. 92(2) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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*Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

93 (1) In Schedule 2 (paying authorities under Part 5), omit Part 2.

(2) Nothing in sub-paragraph (1) is to be read as amending Schedule 2 as it extends to Northern Ireland.

*Prison Act 1952 (c. 52)*

94 (1) Amend section 19 (right of justice to visit prison) as follows.

(2) In subsection (1), for "for any commission area" substitute " assigned to any local justice area ".

(3) In subsection (2), omit "or to visit any prisoner under sentence of death".

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

95 In—

(a) section 189(3A)(a) (fee for certificate on delivery into military custody of person dealt with by court of summary jurisdiction as illegally absent), and

(b) section 199(4)(a) (certificate as proof of outcome of civil trial),

for "justices' chief executive" substitute " designated officer ".

*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

96 In—

(a) section 189(3A)(a) (fee for certificate on delivery into air force custody of person dealt with by court of summary jurisdiction as illegally absent), and

(b) section 199(4)(a) (certificate as proof of outcome of civil trial),

for "justices' chief executive" substitute " designated officer ".

*Naval Discipline Act 1957 (c. 53)*

97 In—

(a) section 110(2A)(a) (fee for certificate on delivery into naval custody of person dealt with by court of summary jurisdiction as illegally absent), and

(b) section 129B(4)(a) (certificate as proof of outcome of civil trial),

for "justices' chief executive" substitute " designated officer ".

*Maintenance Orders Act 1958 (c. 39)*

[F9]98 . . . . . .

**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F9]99 . . . . . .

***Status:*** *Point in time view as at 01/10/2018.*
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**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F9]100 . . . . . .

**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F9]101 . . . . . .

**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F9]102 . . . . . .

**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F9]103 . . . . . .

**Textual Amendments**

**F9** Sch. 8 paras. 98-103 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

104 In section 21(1) (interpretation), omit the definition of "rules of court".

*Manoeuvres Act 1958 (7 & 8 Eliz. 2 c. 7)*

105 (1) Amend section 3 (power to close highways) as follows.

(2) In subsection (1), omit "sitting in petty sessions in the petty sessions area within which that highway or part of a highway is situated".

(3) In subsection (2), omit ", being a highway or part within the jurisdiction of those justices".

(4) For subsection (5)(c) substitute—

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"(c) the references to justices of the peace shall be construed as references to the district court for the area in which the highway or part of a highway is situated."

*Obscene Publications Act 1959 (c. 66)*

106 (1) Amend section 3 (powers of search, seizure and forfeiture) as follows.

(2) In subsection (1), omit "in the petty sessions area for which he acts," and "in that area".

(3) In subsection (3)—

(a) for "for the same petty sessions area as the justice who issued the warrant, and the justice before whom the articles are brought" substitute " in the local justice area in which the articles were seized, who ";

(b) for "for that petty sessions area" substitute " acting in that local justice area ".

*Road Traffic Act 1960 (c. 16)*

107 In section 243(a) (proof in summary proceedings of identity of driver), for "rules made under section fifteen of the Justices of the Peace Act 1949" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I8** Sch. 8 para. 107 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(iv)** (subject to art. 3)

*Caravan Sites and Control of Development Act 1960 (c. 62)*

108 In section 7(1) (appeal to magistrates' court against conditions attached to site licence), omit "acting for the petty sessions area in which the land is situated".

109 In section 8(2) (appeal to magistrates' court against alteration to site licence conditions), omit "acting for the petty sessions area in which the land to which the site licence relates is situated".

110 In section 32(1)(c) (application to Scotland), omit "acting for the petty sessions area in which the land is situated".

*Administration of Justice Act 1960 (c. 65)*

111 In section 2(3) (power to extend time for applying for leave to appeal to House of Lords), omit "Except in a case involving sentence of death,".

112 Omit section 3 (special provision as to capital cases).

*Betting, Gaming and Lotteries Act 1963 (c. 2)*

. . . . . .

***Status:*** *Point in time view as at 01/10/2018.*
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113 In section 10A(5) (notification of cancellation of betting office licence), in paragraph (a) of the definition of "the proper officer of the court", for "justices' chief executive" substitute " designated officer ".

. . . . . .

114 In section 11 (notification of cancellation of bookmaker's or betting agency permit) —

(a) renumber the subsection inserted by paragraph 34(3) of Schedule 13 to the Access to Justice Act 1999 as subsection (5A), and

(b) in that subsection, in paragraph (a) of the definition of "the proper officer of the court", for "justices' chief executive" substitute " designated officer ".

. . . . . .

115 (1) Amend Schedule 1 (bookmaker's permits, betting agency permits and betting office licences) as follows.

(2) In paragraph 1(a)—

(a) for "petty sessions" substitute " local justice ", and

(b) for "acting for" substitute " acting in ".

(3) In paragraph 2—

(a) in the definition of "appropriate authority", for "petty sessions" substitute " local justice ", and

(b) in paragraph (a) of the definition of "the proper officer of the appropriate authority", for "chief executive to" substitute " designated officer for ".

(4) In paragraph 20A(5), for the words from "for a petty" onwards substitute " in a local justice area, is a justices' clerk designated by the Lord Chancellor in relation to the committee ".

*Offices, Shops and Railway Premises Act 1963 (c. 41)*

116 In section 46(11) (appeals relating to exemptions from Act), omit "acting for the petty sessions area in which they are situate".

*Administration of Justice Act 1964 (c. 42)*

117 For section 19(4)(a) (application of Sheriffs Act 1887 to Greater London) substitute—

"(a) in sections 7(1), 17, 23(3) and 26(1) any reference to a county shall be construed as a reference to Greater London;".

118 In section 26 (Inner and Middle Temples), omit "commissions of the peace,".

*Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)*

119 In section 1(1) (endorsement of warrants issued in Republic of Ireland)—

(a) in paragraph (b), after "within the area" insert " in or ", and

(b) for "comprising the area for" substitute " which consists of or includes the area in or for ".

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120 In section 4(1) (issue of provisional warrant), in paragraph (c), after "within the area" insert " in or ".

121 In section 6(2) (discharge of persons where police of Republic no longer require his delivery into their custody), after "justice of the peace acting" insert " in or ".

122 In section 8(1) (rules of court), for paragraph (a) substitute—

"(a) in England and Wales, Criminal Procedure Rules;".

**Commencement Information**

**I9** Sch. 8 para. 122 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(v)** (subject to art. 3)

123 (1) Amend the Schedule (supplementary provisions as to proceedings under section 2) as follows.

(2) For paragraphs 2 and 2A substitute—

"2 The court shall sit in open court and shall consist of—

(a) at least two justices, or

(b) a District Judge (Magistrates' Courts)."

(3) In paragraph 3, for "paragraphs 2 and 2A" substitute " paragraph 2 ".

*Compulsory Purchase Act 1965 (c. 56)*

124 Omit section 1(5) (jurisdiction of justices of the peace).

*Public Works Loans Act 1965 (c. 63)*

125 In section 2(1)(a) (loan to relevant authority)—

(a) in sub-paragraph (iii), after "applies;" insert " and ", and

(b) omit sub-paragraph (v) and "and" before it.

*Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69)*

126 In each of the following provisions, for "Crown Court rules", in each place it occurs, substitute " Criminal Procedure Rules "

(a) section 2(7), (8) and (9) (issue of witness summons on application to Crown Court),

(b) section 2B(2) and (3) (summons no longer needed),

(c) section 2C(2), (3), (5), (6) and (7) (application to make section 2 summons ineffective), and

(d) section 2E(3) and (4) (application to make section 2D summons ineffective).

**Commencement Information**

**I10** Sch. 8 para. 126 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(vi)** (subject to art. 3)

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*National Loans Act 1968 (c. 18)*

127 In Schedule 4 (local loans), in paragraph 1, in paragraph (a) of the definition of "local authority"—

(a) in sub-paragraph (iii), after "applies;" insert " and ", and

(b) omit sub-paragraph (v) and "and" before it.

*Criminal Appeal Act 1968 (c. 19)*

128 In section 45 (construction of references to single judge), for "31, 31A" substitute " 31 to 31C ".

129 Omit section 48 (appeal in capital cases).

130 Omit Schedule 4 (procedural and other modifications for capital cases).

*Courts-Martial (Appeals) Act 1968 (c. 20)*

131 Omit—

(a) section 55 (modification of provisions of Parts 2 and 3 for capital cases), and

(b) Schedule 2 (procedural and other modifications for capital cases).

*Gaming Act 1968 (c. 65)*

132 F10 . . . . . .

**Textual Amendments**

**F10** Sch. 8 para. 132 repealed (1.9.2007) by the Gambling Act 2005 (c. 19), ss. 356(4), 358(1), **Sch. 17** (with ss. 352, 354); S.I. 2006/3272, **art. 2(4)** (with Sch. 4)

133 (1) Amend Schedule 3 (registration of members' clubs in England and Wales) as follows.

(2) In—

(a) paragraph 12(1) (in both places),

(b) paragraph 13(1),

(c) paragraph 15(1) (in both places),

(d) paragraph 16(1),

(e) paragraph 17(3) (in both places),

(f) paragraph 23, and

(g) paragraph 24(1) and (2),

for "chief executive to" substitute " designated officer for ".

(3) In paragraph 17(4), for "justices' chief executive" substitute " designated officer ".

134 In Schedule 7 (registration for gaming by means of machines), in—

(a) paragraphs 3(1) and 4(1),

(b) paragraph 11(1) (in both places),

(c) paragraph 11(2),

(d) paragraphs 13(1) and 14,

(e) paragraph 20(1) (in both places), and

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(f) paragraphs 24 and 25(1) and (2),

for "chief executive to" substitute " designated officer for ".

*Children and Young Persons Act 1969 (c. 54)*

F11 135 . . . . . .

**Textual Amendments**

**F11** Sch. 8 para. 135 omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 48**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

136 In section 23A(2)(a) (court appearance of person arrested for breaking remand conditions), omit "for the petty sessions area in which he was arrested".

*Taxes Management Act 1970 (c. 9)*

137 In section 4(7) (power to appoint officers and staff for carrying out the administrative work of the Special Commissioners), for "section 27 of the Courts Act 1971" substitute " section 2(1) of the Courts Act 2003 ".

*Administration of Justice Act 1970 (c. 31)*

138 In section 41(5) (enforcement of orders for payment of costs and compensation made before the appointed day), for "the magistrates' court for the petty sessions area" substitute " a magistrates' court acting in the local justice area ".

*Courts Act 1971 (c. 23)*

139 Omit—

(a) section 27 (administrative and other court staff),

(b) section 28 (provision of accommodation), and

(c) Schedule 3 (premises formerly used for business of abolished courts).

140 In section 52(3) (award of costs where information or complaint is not proceeded with)—

(a) in paragraph (b), for "acting for any area" substitute " acting in any local justice area ", and

(b) for "for that area" substitute " acting in that area ".

*Attachment of Earnings Act 1971 (c. 32)*

141 In section 3(1)(c) (persons who may apply for an attachment of earnings order), for "a justices' chief executive, that justices' chief executive" substitute " the designated officer for a magistrates' court, that officer ".

142 In section 6(7)(c) (collecting officer in case of order made by magistrates' court), for "justices' chief executive for that court or for" substitute " designated officer for that court or for ".

F12 143 . . . . . .

***Status:*** *Point in time view as at 01/10/2018.*
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**Textual Amendments**

**F12** Sch. 8 para. 143 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

144 In section 21(2)(a)(ii) (costs to be sum due), for "justices' chief executive for the" substitute " designated officer for the magistrates' ".

145 In section 25(1) (interpretation), omit the definition of "rules of court" and "and" before it.

**Commencement Information**

**I11** Sch. 8 para. 145 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(vii)** (subject to art. 3)

*Fire Precautions Act 1971 (c. 40)*

146 In section 43(1) (interpretation), in the definition of "the court", omit "acting for the petty sessions area in which they are situated".

*Immigration Act 1971 (c. 77)*

147 In section 25D(6)(a) (court to which application may be made following detention of ships, aircraft and vehicles), for sub-paragraphs (i) and (ii) substitute—

"(ia) if the arrested person has not been charged, or he has been charged but proceedings for the offence have not begun to be heard, a magistrates' court;".

148 (1) Amend section 28K (execution of search warrants issued to immigration officers) as follows.

(2) For subsection (9)(a), substitute—

"(a) if issued by a justice of the peace in England and Wales, to the designated officer for the local justice area in which the justice was acting when he issued the warrant;".

(3) In subsection (10), for "justices' chief executive" substitute " designated officer ".

149 (1) Amend Schedule 2 (administrative provisions about control on entry) as follows.

(2) In paragraphs 23(1A)(a) and 31(3A)(a), for "justices' chief executive" substitute " designated officer ".

(3) In paragraphs 23(3) and 31(4), for "purposes of the Justices of the Peace Act 1997 and, in particular section 60 of that Act, as being" substitute " purposes of section 38 of the Courts Act 2003 (application of receipts of designated officers) as being ".

(4) In paragraphs 24(2)(a) and 33(2)(a), after "hours, before" insert " in England and Wales, a justice of the peace, in Northern Ireland, ".

150 (1) Amend Schedule 3 (supplementary provisions about deportation) as follows.

(2) After paragraph 6(2) insert—

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"(2A) Where the Crown Court directed release, the appropriate court is that court or a magistrates' court."

(3) In paragraph 6(3), omit "the Crown Court or" and "commission area or".

(4) In paragraph 8(1)—

(a) for "England or Wales or" substitute " England or Wales in pursuance of paragraph 7 above shall be brought as soon as practicable and in any event within twenty-four hours after his arrest before a justice of the peace in England or Wales, and a person arrested in ";

(b) omit "area or".

*Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

[F13]151 . . . . . .

**Textual Amendments**

**F13** Sch. 8 paras. 151-153 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F13]152 . . . . . .

**Textual Amendments**

**F13** Sch. 8 paras. 151-153 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F13]153 . . . . . .

**Textual Amendments**

**F13** Sch. 8 paras. 151-153 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

154 In section 17(4) (proceedings in magistrates' courts)—

[F14](a) . . . . . .

(b) after "Northern Ireland," insert " acting for the same ".

**Textual Amendments**

**F14** Sch. 8 para. 154(a) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

155 (1) Amend section 18 (provision that may be made by magistrates' courts rules) as follows.

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(2) In subsection (1)—

[F15](a) . . . . . .

(b) in paragraph (a), for "for a particular petty sessions area" substitute " in a particular local justice area ", and for "for such other petty sessions area" substitute " in such other local justice area ".

(3) In subsection (1A), for "rules made under section 144 of the Magistrates' Courts Act 1980" substitute " rules of court ".

**Textual Amendments**

**F15** Sch. 8 para. 155(2)(a) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

156 In section 21(1) (interpretation of Part 1), in the definition of "prescribed", omit—

(a) "in England and Wales or",

(b) "by rules made under section 144 of the Magistrates' Courts Act 1980 or", and

(c) "as the case may be,".

[F16]157 . . . . . .

**Textual Amendments**

**F16** Sch. 8 para. 157 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

158 In section 26(6) (application for recovery of maintenance in convention country)—

[F17](a) . . . . . .

(b) in paragraph (b), after "district" insert " in which the applicant is residing ".

**Textual Amendments**

**F17** Sch. 8 para. 158(a) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F18]159 . . . . . .

**Textual Amendments**

**F18** Sch. 8 paras. 159-163 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F18]160 . . . . . .

***Status:*** *Point in time view as at 01/10/2018.*
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**Textual Amendments**

**F18** Sch. 8 paras. 159-163 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F18 161 . . . . . .

**Textual Amendments**

**F18** Sch. 8 paras. 159-163 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F18 162 . . . . . .

**Textual Amendments**

**F18** Sch. 8 paras. 159-163 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F18 163 . . . . . .

**Textual Amendments**

**F18** Sch. 8 paras. 159-163 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

164 In section 47(3) (construction of references to the jurisdiction of a court), for the words from "construed in relation" onwards substitute "construed—

(a) in relation to a magistrates' court in England and Wales as a reference to the local justice area in which the court acts, and

(b) in relation to a magistrates' court in Northern Ireland as a reference to the petty sessions district for which the court acts."

*Civil Evidence Act 1972 (c. 30)*

165 Omit section 2(8) (power to make rules of court under section 2 is without prejudice to other such powers).

*Criminal Justice Act 1972 (c. 71)*

166 In section 51(4) (execution of process between England and Wales and Scotland), for "by virtue of section 45(1) of the Justices of the Peace Act 1997, as it has" substitute " by virtue of section 28(1) of the Courts Act 2003, as it has ".

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*Administration of Justice Act 1973 (c. 15)*

167 In section 5 (consequential) omit "Paragraph 7 of".

168 In Schedule 1 (justices of the peace: consequential re-enactments and amendments), omit paragraphs 7 to 7B and 10(1).

*Matrimonial Causes Act 1973 (c. 18)*

[F19]169 . . . . . .

**Textual Amendments**

**F19** Sch. 8 para. 169 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F20]170 . . . . . .

**Textual Amendments**

**F20** Sch. 8 para. 170 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

*Breeding of Dogs Act 1973 (c. 60)*

171 **[**[F21]In section 3(9) (application to terminate disqualification), for "for the same petty sessions" substitute " in the same local justice ".**]**

**Textual Amendments**

**F21** Sch. 8 para. 171 omitted (E.W.) (1.10.2018) by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 13** (with reg. 27)

*Juries Act 1974 (c. 23)*

172 In—

(a) section 9(3) (appeal against refusal to excuse from jury service), and

(b) section 9A(3) (appeal against refusal to defer jury service),

for "Crown Court rules" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I12** Sch. 8 para. 172 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(viii)** (subject to art. 3)

173 In section 14 (views by jurors), for "Crown Court rules, and rules of court for civil cases," substitute " Criminal Procedure Rules and Civil Procedure Rules ".

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**Commencement Information**

**I13** Sch. 8 para. 173 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(viii)** (subject to art. 3)

174 In Schedule 1 (jury service: ineligibility, disqualification and excusal), in Group B, omit "Justices' chief executives,".

*Friendly Societies Act 1974 (c. 46)*

175 For section 102 (jurisdiction of magistrates' courts) substitute—

"**102 Jurisdiction of magistrates' courts in Northern Ireland**

(1) In Northern Ireland, a registered society or branch or any officer thereof may be prosecuted for any summary offence under this Act before a magistrates' court acting for the county court division in which the registered office of the society or branch is situated.

(2) Subsection (1) is without prejudice to the provisions of the Magistrates' Courts (Northern Ireland) Order 1981 as to the jurisdiction of a magistrates' court."

*Solicitors Act 1974 (c. 47)*

176 (1) Amend section 38 (circumstances in which solicitor who is justice of the peace may not act as solicitor) as follows.

(2) In subsection (1), for "for any area, or for any partner of his, to act in connection with proceedings before any of those justices" substitute " assigned to any local justice area, or for any partner of his, to act in connection with proceedings before any justice of the peace acting in that area ".

(3) Omit subsections (2) and (3).

(4) In subsection (3A)—

(a) for "for any petty sessions" substitute " in any local justice ", and

(b) for "acting for" substitute " acting in ".

*Evidence (Proceedings in Other Jurisdictions) Act 1975 (c. 34)*

177 In section 7 (rules of court)—

(a) for the words from "The power" to "1981 or" substitute " Civil Procedure Rules or rules of court under ", and

(b) for "shall include power to make rules of court under" substitute " may make provision ".

*Salmon and Freshwater Fisheries Act 1975 (c. 51)*

178 In paragraph 14 of Schedule 4 (offences: delivery of licences and certificates of conviction), for "justices' chief executive" substitute " designated officer ".

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*Safety of Sports Grounds Act 1975 (c. 52)*

179 In section 17(1) (interpretation), in the definition of "the court", omit "acting for the petty sessions area in which they are situated".

*Bail Act 1976 (c. 63)*

180 In section 2 (definitions), omit the definitions of "Crown Court rules", "magistrates' courts rules" and "Supreme Court rules".

181 In section 3AA (electronic monitoring of compliance with bail conditions), in each of subsections (4)(a) and (12), for "petty sessions area" substitute " local justice area ".

182 In section 5(10) (meaning of "prescribed" in section 5), for "Supreme Court rules, Courts-Martial Appeal rules, Crown Court rules or magistrates' courts rules" substitute " Civil Procedure Rules, Courts-Martial Appeal rules or Criminal Procedure Rules ".

**Commencement Information**

**I14** Sch. 8 para. 182 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(ix)** (subject to art. 3)

183 (1) Amend section 5B (reconsideration of decisions granting bail) as follows.

(2) In subsection (8), omit "for the petty sessions area in which he was arrested".

(3) In subsection (9), for "Magistrates' court rules" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I15** Sch. 8 para. 183 wholly in force at 1.4.2005; Sch. 8 para. 183 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 183(1)(3) in force at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(ix)** (subject to art. 3); Sch. 8 para. 183(2) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

184 In section 6(9)(c)(i) (certification of copy of record), for "justices' chief executive" substitute " designated officer for the court ".

185 In section 7(4)(a) (appearance before justice following arrest for absconding or breaking bail conditions), omit "for the petty sessions area in which he was arrested".

186 (1) Amend section 8 (bail with sureties) as follows.

(2) In subsection (4)—

(a) in paragraph (a), for "magistrates' courts rules" substitute " Criminal Procedure Rules ",

(b) in paragraph (b), for "Crown Court rules" substitute " Criminal Procedure Rules ",

(c) in paragraph (c), for "Supreme Court rules" substitute " Civil Procedure Rules or Criminal Procedure Rules ", and

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(d) for "Supreme Court rules, Crown Court rules, Courts-Martial Appeal rules or magistrates' courts rules" substitute " Civil Procedure Rules, Criminal Procedure Rules or Courts-Martial Appeal rules ".

(3) In subsection (5)(b), omit "for the petty sessions area in which he resides".

**Commencement Information**

**I16** Sch. 8 para. 186 wholly in force; Sch. 8 para. 186 not in force at Royal Assent see s. 110(1)(2); Sch 8 para. 186(1)(2) in force at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(ix)** (with art. 3); Sch. 8 para. 186(3) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

*Race Relations Act 1976 (c. 74)*

[F22]187 . . . . . .

**Textual Amendments**

**F22** Sch. 8 para. 187 repealed (4.4.2011) by The Equality Act 2010 (Public Authorities and Consequential and Supplementary Amendments) Order 2011 (S.I. 2011/1060), arts. 1(2), 3(3)(a), **Sch. 3**

*Administration of Justice Act 1977 (c. 38)*

188 Omit section 22 (membership of rule committees).

*Criminal Law Act 1977 (c. 45)*

189 (1) Amend section 10 (obstruction of court officers executing process for possession against unauthorised occupiers) as follows.

(2) Before subsection (1) insert—

"(A1) A person is guilty of an offence if he resists or intentionally obstructs any person who—

(a) is an enforcement officer, or is acting under the authority of an enforcement officer; and

(b) is engaged in executing a writ issued from the High Court."

(3) In subsection (3), for "an officer of a court" substitute " an enforcement officer, a person acting under the authority of an enforcement officer or an officer of a court (as the case may be) ".

(4) In subsection (5), after "uniform" insert " , an enforcement officer ".

(5) For subsection (6), substitute—

"(6) In this section—

"enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003;

"officer of a court" means—

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(a) any sheriff, under sheriff, deputy sheriff, bailiff or officer of a sheriff; and

(b) any bailiff or other person who is an officer of a county court within the meaning of the County Courts Act 1984."

(6) In the section heading, for "court officers executing process for possession against unauthorised occupiers" substitute " enforcement officers and court officers executing High Court or county court process ".

190 In section 48(1) (power to make rules as to furnishing of information by prosecutor in criminal proceedings), for the words from "The power" to "include power to" substitute " Criminal Procedure Rules may ".

**Commencement Information**

**I17** Sch. 8 para. 190 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(x)** (subject to art. 3)

*Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)*

191 In section 6(9) (restrictions on power to make order where respondent not present at hearing), for "rules" substitute " rules of court ".

192 (1) Amend section 20ZA (variation of orders for periodical payments) as follows.

(2) In subsection (2), for "clerk to the justices for the petty sessions area for which the court is acting" substitute " court ".

(3) In subsection (3)—

(a) for "the clerk" substitute " a justices' clerk ", and

(b) for "to the justices' chief executive for the court" substitute " to the designated officer for the court ".

(4) In subsection (10), for "the clerk to the justices" substitute " a justices' clerk ".

[F23]193 . . . . . .

**Textual Amendments**

**F23** Sch. 8 para. 193 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F24]194 . . . . . .

**Textual Amendments**

**F24** Sch. 8 para. 194 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

195 (1) Amend section 32 (enforcement of orders for payment of money) as follows.

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[F25](2) . . . . . .

(3) In subsection (6), for "rules" substitute " rules of court ".

**Textual Amendments**

**F25** Sch. 8 para. 195(2) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

196 (1) Amend section 35 (orders for repayment of sums paid after cessation of order by reason of marriage) as follows.

[F26](2) . . . . . .

(3) In subsection (8), for ", the officer designated by the Lord Chancellor or the justices' chief executive" substitute " or the officer designated by the Lord Chancellor ".

**Textual Amendments**

**F26** Sch. 8 para. 196(2) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

197 (1) Amend section 88 (interpretation) as follows.

(2) In subsection (1), omit the definition of "rules".

(3) In subsection (4), for "for the same petty sessions" substitute " in the same local justice ".

*Judicature (Northern Ireland) Act 1978 (c. 23)*

198 (1) Amend Schedule 1 (appeals to House of Lords in certain criminal matters) as follows.

(2) In paragraph 1(2), omit "Except in a case involving sentence of death,".

(3) Omit paragraph 2.

*Protection of Children Act 1978 (c. 37)*

199 (1) Amend section 4 (entry, search and seizure) as follows.

(2) In subsection (1), omit "in the petty sessions area for which he acts".

(3) [F27] . . . . . .

**Textual Amendments**

**F27** Sch. 8 para. 199(3) repealed (1.4.2008 for E.W.) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 4**; S.I. 2008/790, **art. 2(e)**

200 [F28] . . . . . .

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**Textual Amendments**

**F28** Sch. 8 para. 200 repealed (1.4.2008 for E.W.) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 4**; S.I. 2008/790, **art. 2(e)**

*Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)*

**[**[F29]In section 4 (supplemental), in subsection (4)(a), for "justices' chief executive" substitute " designated officer ".**]**

**Textual Amendments**

**F29** Sch. 8 unnumbered para. following Sch. 8 para. 200 repealed (1.2.2008 for (S.)) repealed by Licensing (Scotland) Act 2005 (asp 16), ss. 149, 150, **Sch. 7** (with s. 143); S.S.I. 2007/472, **art. 2**, Schs. 1, 2

*Magistrates' Courts Act 1980 (c. 43)*

201 Omit section 3 (offences committed on boundaries etc.).

202 In section 6(5) (display of details of committal proceedings), for "justices' chief executive for" substitute " designated officer for ".

203 In section 12 (non-appearance of accused), in—

(a) subsection (1)(b),

(b) subsection (4) (in both places), and

(c) subsection (6) (in both places),

for "justices' chief executive for" substitute " designated officer for ".

204 (1) Amend section 12A (application of section 12 where accused appears) as follows.

(2) In subsection (1), for "clerk of" substitute " designated officer for ".

(3) In subsection (2)—

(a) for "clerk of" substitute " designated officer for ", and

(b) for "clerk" substitute " designated officer ".

205 (1) Amend section 14 (proceedings invalid where accused did not know of them) as follows.

(2) In subsection (1), for "justices' chief executive for the court" substitute " designated officer for the court ".

(3) In subsection (2), for "justices' chief executive" substitute " designated officer ".

206 In section 43(2) (enforcement of recognizance of a surety for person granted bail), for "for the petty sessions" substitute " acting in the local justice ".

207 In section 47 (service of summons out of time after failure to prove service by post) for "the rules" (in the first place where it occurs) substitute " rules of court ".

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**Commencement Information**

**I18** Sch. 8 para. 207 partly in force at 1.9.2004; Sch. 8 para. 207 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 207 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)**

208 (1) Amend section 59 (orders for periodical payment: means of payment) as follows.

(2) In subsection (3)(b), for "a justices' chief executive" substitute " the designated officer for the court or for any other magistrates' court ".

F30(3) . . . . . .

**Textual Amendments**

**F30** Sch. 8 para. 208(3) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

209 (1) Amend section 59A (orders for periodical payment: proceedings by justices' chief executive) as follows.

(2) In subsection (1)—

(a) for "a justices' chief executive" substitute " the designated officer for a magistrates' court ",

(b) for "the relevant justices' chief executive" substitute " the relevant designated officer ", and

(c) for "to that justices' chief executive" substitute " to that designated officer ".

(3) In subsection (2)—

(a) for "a justices' chief executive" substitute " the designated officer for a magistrates' court ", and

(b) for "the relevant justices' chief executive for him" substitute " the relevant designated officer for him ".

(4) In subsection (3), for "the relevant justices' chief executive, he" substitute " the relevant designated officer, he ".

(5) In subsection (4)—

(a) for "a justices' chief executive" substitute " the relevant designated officer ",

(b) for "justices' chief executive cancelling" substitute " relevant designated officer cancelling ", and

(c) for "justices' chief executive shall" substitute " relevant designated officer shall ".

(6) In subsection (7), for the definition of "the relevant justices' chief executive" substitute—

""the relevant designated officer", in relation to an order, means—

(a) in a case where payments under the order are required to be made to or through the designated officer for a magistrates' court, the designated officer for that magistrates' court;

(b) in a case where such payments are required to be made by any method of payment falling within section 59(6) and the order

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was made by a magistrates' court, the designated officer for that magistrates' court; and

(c) in a case where such payments are required to be made by any method of payment falling within section 59(6) and the order was not made by a magistrates' court, the designated officer for the magistrates' court in which the order is registered;".

(7) In the section heading, for "justices' chief executive" substitute " designated officer ".

[F31]210 . . . . . .

**Textual Amendments**

**F31** Sch. 8 para. 210 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

211 (1) Amend section 60 (revocation, variation, etc. of orders for periodical payment) as follows.

(2) In subsection (4), omit "the clerk of".

[F32](3) . . . . . .

[F32](4) . . . . . .

**Textual Amendments**

**F32** Sch. 8 para. 211(3)(4) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

212 (1) In section 61(1) (periodical payments payable by one person under more than one order), for "The power to make rules conferred by section 144 below shall, without prejudice to the generality of subsection (1) of that section, include power to" substitute " Rules of court may ".

(2) In paragraph (b) of section 61(1)—

(a) for "a justices' chief executive" substitute " the designated officer for a magistrates' court ", and

(b) for "that justices' chief executive" substitute " that designated officer ".

213 In section 62(1)(ii) (proceedings for sums payable to child), for "justices' chief executive for" substitute " designated officer for ".

[F33]214 . . . . . .

**Textual Amendments**

**F33** Sch. 8 paras. 214-217 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F33]215 . . . . . .

***Status:*** *Point in time view as at 01/10/2018.*
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**Textual Amendments**

**F33** Sch. 8 paras. 214-217 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F33 216 . . . . . .

**Textual Amendments**

**F33** Sch. 8 paras. 214-217 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F33 217 . . . . . .

**Textual Amendments**

**F33** Sch. 8 paras. 214-217 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

218 (1) Amend section 77 (postponement of issue of warrant) as follows.

(2) In subsection (5), for "for the petty sessions" substitute " in the local justice ".

(3) For subsection (6), substitute—

"(6) Where such an application is referred to the court—

(a) the clerk of the court shall fix a time and place for the application to be heard; and

(b) the designated officer for the court shall give the applicant notice of that time and place."

219 In—

(a) section 78(4) (offence of removing impounded goods marked in accordance with rules), and

(b) section 79(2) (reduction of period of detention on payment being made in accordance with rules),

for "the rules" substitute " rules of court ".

**Commencement Information**

**I19** Sch. 8 para. 219 partly in force at 1.9.2004; Sch. 8 para. 219 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 219 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)**

220 (1) Amend section 82 (restriction on power to impose imprisonment for default) as follows.

(2) After subsection (4A) insert—

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"(4B) The cases in which the offender's default may be regarded for the purposes of subsection (4)(b)(i) as being attributable to his wilful refusal or culpable neglect include any case in which—

(a) he has refused, otherwise than on reasonable grounds, to consent to a work order proposed to be made under Schedule 6 to the Courts Act 2003 (discharge of fines by unpaid work), or

(b) he has without reasonable excuse failed to comply with such an order."

(3) In subsection (5A), for "justices' chief executive for" substitute " designated officer for ".

221 In section 84(1) (power to require statement of means) for "for the same petty sessions" substitute " in the same local justice ".

222 (1) Amend section 85 (power to remit fine) as follows.

(2) After subsection (2A) insert—

"(2B) Where the court remits the whole or part of the fine after a work order has been made under Schedule 6 to the Courts Act 2003 (discharge of fines by unpaid work), it shall also reduce the number of hours specified in the order by a number which bears the same proportion as the amount remitted bears to the whole sum or, as the case may be, shall revoke the order."

(3) In subsection (3), for "or (2A)" substitute " , (2A) or (2B) ".

223 (1) Amend section 87 (enforcement of payment of fines by High Court and county court) as follows.

(2) In subsection (1), for "justices' chief executive for" substitute " designated officer for ".

(3) In subsection (3), for "justices' chief executive" substitute " designated officer for the magistrates' court ".

(4) Omit subsection (4).

224 (1) Amend section 87A (fines imposed on companies) as follows.

(2) In subsection (1), for "justices' chief executive for" substitute " designated officer for ".

(3) Omit subsection (2).

225 (1) Amend section 89 (transfer of fine order) as follows.

(2) In subsection (1)—

(a) after "Where a magistrates' court" insert " in a local justice area ",

(b) for "in any petty sessions area other than that for which the court acted" substitute " in England and Wales ", and

(c) for "the petty sessions area in which it appears to the court that he is residing;" substitute " another local justice area ".

(3) In subsection (2)—

(a) for "justices' chief executive for" (in both places) substitute " designated officer for ", and

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(b) for "for the petty sessions area" substitute " in the local justice area ".

(4) For subsection (3) substitute—

"(3) A court by which functions in relation to any sum are for the time being exercisable by virtue of a transfer of fine order may make a further transfer of fine order with respect to that sum."

226 In section 90(3) (transfer of fines to Scotland or Northern Ireland), for "justices' chief executive for" substitute " designated officer for ".

227 (1) Amend section 91 (transfer of fines from Scotland and Northern Ireland) as follows.

(2) In subsection (1)—

(a) for "in a specified petty sessions area in England and Wales, a magistrates' court acting for that area," substitute " by a magistrates' court in England and Wales, a magistrates' court acting in the area in which the person subject to the order resides, ", and

(b) for "justices' chief executive for" substitute " designated officer for ".

(3) In subsection (3)—

(a) for "in a petty sessions area" substitute " by a magistrates' court ", and

(b) for "acting for that area" substitute " acting in the area in which the person subject to the order resides ".

F34 228 . . . . . .

**Textual Amendments**

**F34** Sch. 8 para. 228 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F35 229 . . . . . .

**Textual Amendments**

**F35** Sch. 8 para. 229 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

230 In section 97(1), omit—

(a) "for any commission area", and

(b) "for that commission area".

231 (1) Amend section 97A (summons or warrant as to committal proceedings) as follows.

(2) In subsection (1)—

(a) omit "for any commission area",

(b) at the end of paragraph (a) insert " and ", and

(c) omit paragraph (c) and "and" before it.

(3) In subsections (9), (10) and (11), for "chief executive to" substitute " designated officer for ".

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232 In section 99 (proof of non-payment of sum adjudged)—

(a) for "a justices' chief executive" substitute " the designated officer for a magistrates' court ", and

(b) for "the justices' chief executive" (in both places) substitute " the designated officer ".

233 In section 107 (false statements in declaration proving service), for "the rules" substitute " rules of court ".

**Commencement Information**

**I20** Sch. 8 para. 233 partly in force at 1.9.2004; Sch. 8 para. 233 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 233 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)**

234 In section 109(2) (notice to abandon an appeal), for "Crown Court rules" substitute " rules of court ".

**Commencement Information**

**I21** Sch. 8 para. 234 partly in force at 1.9.2004; Sch. 8 para. 234 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 234 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)**

235 In section 114 (payment of recognisances and fees on case stated)—

(a) for "the clerk of a magistrates' court" substitute " a justices' clerk ", and

(b) for "justices' chief executive" substitute " designated officer ".

236 (1) Amend section 116 (discharge of recognizance to keep the peace or be of good behaviour etc.) as follows.

(2) In subsection (1), omit "for any area to which this section applies", the words from ", if the complaint" to "for that area," and "for that area" (in the second place where it occurs).

(3) Omit subsection (3).

237 (1) Amend section 121 (constitution and place of sitting of court) as follows.

(2) Omit subsection (3).

(3) For subsection (4), substitute—

"(4) Subject to the provisions of any enactment to the contrary, a magistrates' court must sit in open court if it is—

(a) trying summarily an information for an indictable offence,

(b) trying an information for a summary offence,

(c) imposing imprisonment,

(d) hearing a complaint, or

(e) holding an inquiry into the means of an offender for the purposes of section 82."

(4) In subsection (5), omit ", or sitting in an occasional court-house".

238 In section 125(1) (warrants) for "the rules" substitute " rules of court ".

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**Commencement Information**

**I22** Sch. 8 para. 238 partly in force at 1.9.2004; Sch. 8 para. 238 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 238 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)**

239 (1) Amend section 125B (execution of warrants by approved enforcement agency) as follows.

(2) In subsection (2), for the words from "under" onwards substitute " by the Lord Chancellor ".

(3) After subsection (2), insert—

"(2A) The Lord Chancellor must maintain a register containing the names of all persons and bodies approved by him under subsection (2) and must make such arrangements as he considers appropriate for making the register available for inspection."

(4) Omit subsection (3).

(5) In subsection (5)(d), for the words from "under" onwards substitute " by the Lord Chancellor under subsection (2A) ".

(6) After subsection (5), insert—

"(6) A decision by the Lord Chancellor to revoke the approval of a person or body under subsection (2) does not have effect to revoke the approval until the Lord Chancellor has informed the person or body of the decision."

240 (1) Amend section 125C (disclosure of information for enforcing warrants) as follows.

(2) In subsection (1)—

(a) for "a justices' chief executive" substitute " the designated officer for a magistrates' court ", and

(b) omit "appointed by, or member of the staff of, his magistrates' courts committee".

(3) In subsection (2), in the definition of "a section 125A warrant" omit the words from "and" onwards.

(4) In subsection (3), for paragraph (c) substitute—

"(c) any justices' clerk or other person appointed under section 2(1) of the Courts Act 2003."

241 In section 126 (execution of certain warrants outside England and Wales)—

(a) for "Sections 12 to 14" substitute " Section 13(1) and (2) ", and

(b) in paragraph (a), for "those referred to in the said sections 12 to 14" substitute " indictable offences ".

242 Omit sections 137 and 138 (fees and remission of fees).

**Commencement Information**

**I23** Sch. 8 para. 242 wholly in force at 10.1.2006, see s. 110(1)(2) and S.I. 2005/3518, **art. 2(a)** (subject to art. 3)

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243 In section 139 (disposal of sums adjudged to be paid by conviction)—

(a) for "A justices' chief executive" substitute " The designated officer for a magistrates' court ", and

(b) for "section 60 of the Justices of the Peace Act 1997" substitute " section 38 of the Courts Act 2003 ".

244 Omit section 141 (clerks to justices).

245 (1) Amend section 144 (rule committee) as follows.

(2) In subsection (1), after "prescribing" insert "except in relation to—

(a) any criminal cause or matter, or

(b) family proceedings,",

and for "and justices' chief executives" substitute " and designated officers for magistrates' courts ".

(3) In subsection (2), omit "the President of the Family Division of the High Court, the Senior District Judge (Chief Magistrate)".

[F36](4) . . . . . .

(5) Omit subsection (5).

**Textual Amendments**

**F36** Sch. 8 para. 245(4) repealed (18.9.2012) by The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates Courts Rule Committee) Order 2012 (S.I. 2012/2398), art. 1(2), **Sch. 2 para. 8**

**Commencement Information**

**I24** Sch. 8 para. 245 partly in force at 7.10.2005; Sch. 8 para. 245 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 245(1)(2) in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xi)** (subject to art. 3); Sch. 8 para. 245(3)(4)(5) in force for certain purposes at 1.4.2005 by S.I. 2005/910, **art. 3(y)(iii)(iv)**; Sch. 8 para. 245(2) in force for certain further purposes at 7.10.2005 by S.I. 2005/2744, **art. 2(3)**

**I25** Sch. 8 para. 245(1)-(3) in force at 6.4.2011 in so far as not already in force by S.I. 2010/2921, **art. 3(b)**

246 (1) Amend section 145 (rules: supplementary provisions) as follows.

(2) In subsection (1), omit paragraphs (aa), (f) and (i).

(3) Omit subsection (4).

**Commencement Information**

**I26** Sch. 8 para. 246 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xi)** (subject to art. 3)

247 Omit section 147(occasional court-house).

248 In section 148(2) (power of magistrates' courts to act where another may act), for "for the same petty sessions" substitute " in the same local justice ".

249 Omit section 149 (Isles of Scilly).

250 (1) Amend section 150(1) (interpretation) as follows.

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(2) Omit the definitions of "petty-sessional court-house", "the register" and "the rules".

(3) In the definition of "prescribed", for "the rules" substitute " rules of court ".

**Commencement Information**

**I27** Sch. 8 para. 250 wholly in force at 1.4.2005; Sch. 8 para. 250 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 250 in force for certain purposes at 1.9.2004 by S.I. 2004/2066 {art. 2(c)(xi)} (subject to art. 3); Sch. 8 para. 250 in force insofar as not already in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

251 In section 152, for "the rules" substitute " rules of court ".

**Commencement Information**

**I28** Sch. 8 para. 251 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xi)** (subject to art. 3)

252 Omit section 153 (magistrates' courts may sit on Sundays and public holidays).

253 In section 155(4) (extent of section 126 of 1980 Act), for "sections" substitute " section ".

254 Omit Schedule 6 (fees).

**Commencement Information**

**I29** Sch. 8 para. 254 wholly in force at 10.1.2006, see s. 110(1)(2) and S.I. 2005/3518, **art. 2(a)** (subject to art. 3)

*Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

255 Omit—

(a) section 48 (appeal in capital cases), and

(b) Schedule 3 (procedural and other modifications for capital cases).

*Highways Act 1980 (c. 66)*

256 (1) Amend section 47 (power of magistrates' court to declare that an unnecessary highway is not maintainable at public expense) as follows.

(2) In subsection (5), for "acting for the petty sessions for" substitute " assigned to the local justice area in ".

(3) In subsection (6), for "chief executive to" substitute " designated officer for ".

257 (1) Amend section 116 (power of magistrates' court to authorise stopping up or diversion of highway) as follows.

(2) In subsection (8)(b), for "for the same petty sessions" substitute " in the same local justice ".

(3) In subsection (9), for "the clerk of the court" substitute " a justices' clerk ".

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### *Zoo Licensing Act 1981 (c. 37)*

258 In section 18(1) (appeals to magistrates' courts), omit "acting for the petty sessions area in which the zoo is situated".

### *[F37Senior Courts Act 1981]*

**Textual Amendments**

**F37** Sch. 8: cross-heading substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 1**; {S.I. 2009/1604, art. 2(d)}

259 (1) Amend section 8 (the Crown Court) as follows.

(2) For subsection (2), substitute—

"(2) A justice of the peace is not disqualified from acting as a judge of the Crown Court merely because the proceedings are not at a place within the local justice area to which he is assigned or because the proceedings are not related to that area in any other way."

F38(3) . . . . . .

**Textual Amendments**

**F38** Sch. 8 para. 259(3) repealed (2.4.2012) by Armed Forces Act 2011 (c. 18), s. 32(3), **Sch. 5**; S.I. 2012/669, art. 4(f)(i)

260 In section 9(6A) (Circuit judge and Recorder not to exercise powers of single judge), after "31" insert " , 31B, 31C ".

F39261 . . . . . .

**Textual Amendments**

**F39** Sch. 8 para. 261 repealed (2.4.2012) by Armed Forces Act 2011 (c. 18), s. 32(3), **Sch. 5**; S.I. 2012/669, art. 4(f)(i)

262 In—

(a) section 125 (copies of wills and grants),

(b) section 126(1) (depositaries for wills of living persons), and

(c) section 134(2) (right to inspect power of attorney on payment of the prescribed fee),

for "the prescribed fee" substitute " the fee prescribed by an order under section 92 of the Courts Act 2003 (fees) ".

263 Omit section 130 (fees to be taken in **[**F40Senior Courts**]**).

**Textual Amendments**

**F40** Words in Sch. 8 para. 263 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 4**; {S.I. 2009/1604, art. 2(d)}

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264 Omit sections 138, 138A and 138B (effect of writs of execution against goods).

265 In section 151(1) (interpretation), in the definition of "prescribed", omit paragraph (b) and "and" before it.

*Betting and Gaming Duties Act 1981 (c. 63)*

. . . . . .

266 In paragraph 15(4A) of Schedule 1 (betting duties: notification of forfeiture and cancellation of betting office licence), in paragraph (a) of the definition of "proper officer of the court", for "justices' chief executive" substitute " designated officer ".

267 In paragraph 15(3)(a) of Schedule 4 (gaming machine licence duty: registers of permits), for "for a petty sessions area, the chief executive to the justices" substitute " in a local justice area, the designated officer for the committee ".

*Civil Jurisdiction and Judgments Act 1982 (c. 27)*

[F41]268 . . . . . .

**Textual Amendments**

**F41** Sch. 8 para. 268 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

[F42]269 . . . . . .

**Textual Amendments**

**F42** Sch. 8 para. 269 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

*Administration of Justice Act 1982 (c. 53)*

270 In section 23(6)(a) (fees for deposit of wills), for "section 130 of the Supreme Court Act 1981" substitute " section 92 of the Courts Act 2003 ".

*County Courts Act 1984 (c. 28)*

271 In—

(a) section 66(4) (fees payable in respect of trial with jury proceedings in a county court),

(b) section 80(2) (judge's note on appeal—fee etc.), and

(c) section 95(4) (fees payable in respect of duties of brokers and appraisers),

for "the fees orders" substitute " an order under section 92 of the Courts Act 2003 (fees) ".

272 Omit—

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(a) section 73 (register of judgments and orders), and
(b) section 73A (provision for register to be kept by body under contract to Lord Chancellor).

**Commencement Information**
**I30** Sch. 8 para. 272 in force at 6.4.2011 by S.I. 2010/2921, **art. 3(b)**

273 In section 98(1) (protection of district judge of county court selling goods under execution without notice of claim by third party), for the words from "(b) no person" to "execution debtor" substitute—

"(b) no person shall be entitled to recover against the district judge or other officer, or anyone lawfully acting under his authority—
(i) for any sale of the goods, or
(ii) for paying over the proceeds prior to the receipt of a claim to the goods,
unless it is proved that the person from whom recovery is sought had notice, or might by making reasonable inquiry have ascertained, that the goods were not the property of the execution debtor."

274 (1) Amend section 99 (effect of warrants of execution) as follows.

(2) In subsection (2)(b)—
(a) after "to" insert " an enforcement officer or other officer charged with the execution of the writ ", and
(b) for "the sheriff" substitute " that person ".

(3) In subsection (4)—
(a) before paragraph (a) insert—
"(za) "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003;", and
(b) omit paragraph (b).

275 For section 104 (information as to writs and warrants of execution), substitute—

"**104 Information as to writs and warrants of execution**

(1) Where a writ against the goods of any person issued from the High Court is delivered to an enforcement officer who is under a duty to execute the writ or to a sheriff, then on demand from the district judge of a county court that person shall—
(a) in the case of an enforcement officer, by writing signed by that officer or a person acting under his authority, and
(b) in the case of a sheriff, by writing signed by any clerk in the office of the under-sheriff,
inform the district judge of the precise time the writ was delivered to him.

(2) A bailiff of a county court shall on demand show his warrant to any enforcement officer, any person acting under the authority of an enforcement officer and any sheriff's officer.

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(3) Any writing purporting to be signed as mentioned in subsection (1) and the endorsement on any warrant issued from a county court shall respectively be sufficient justification to any district judge, or enforcement officer or sheriff, acting on it.

(4) In this section "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003."

276 Omit section 128 (fees).

.277 In section 147(1) (interpretation), omit the definition of "fees orders".

*Matrimonial and Family Proceedings Act 1984 (c. 42)*

278 Omit—

(a) section 40 (family proceedings rules), and

(b) section 41 (fees in family proceedings).

**Commencement Information**

**I31** Sch. 8 para. 278 partly in force at 4.1.2005; Sch. 8 para. 278 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 278(b) in force at 4.1.2005 by S.I. 2004/3123, **art. 2(b)(iv)**

**I32** Sch. 8 para. 278(a) in force at 6.4.2011 by S.I. 2010/2921, **art. 3(b)**

*Building Act 1984 (c. 55)*

279 In section 40(1) (appeal against section 36 notice), omit "acting for the petty sessions area in which is situated land on which there has been carried out any work to which the notice relates".

280 In section 55(1) (appeals), omit "acting for the petty sessions area in which is situated land on which there will be, or there has been, carried out any work to which the notice or certificate relates".

*Police and Criminal Evidence Act 1984 (c. 60)*

281 (1) Amend section 16 (execution of warrants) as follows.

(2) [F43] . . . . . .

(3) In subsection (11), for "chief executive to the justices" substitute " designated officer for the local justice area ".

**Textual Amendments**

**F43** Sch. 8 para. 281(2) repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 174(2), **Sch. 17 Pt. 2**; S.I. 2005/3495, **art. 2(1)(t)(u)(lv)** (subject to art. 2(2))

282 (1) Amend section 46 (detention after charge) as follows.

(2) In subsection (2), for "for the petty sessions" substitute " in the local justice ".

(3) In subsection (3)—

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(a) for “for that area” substitute “ in that area ”,
(b) for “justices' chief executive” substitute “ designated officer ”.

(4) In subsection (4)—
(a) for “for a petty sessions” substitute “ in a local justice ”, and
(b) for “for that area” substitute “ in that area ”.

(5) In subsection (5)—
(a) for “for that area” substitute “ in that area ”, and
(b) for “justices' chief executive” substitute “ designated officer ”.

(6) In subsection (6)—
(a) for “the justices' chief executive for a petty sessions” substitute “ the designated officer for a local justice ”, and
(b) for “the justices' chief executive” substitute “ the designated officer ”.

(7) In subsection (7)—
(a) for “for the petty sessions” substitute “ in the local justice ”, and
(b) for “for any other petty sessions” substitute “ in any other local justice ”.

(8) In subsection (8), for “justices' chief executive” substitute “ designated officer ”.

283 In section 47(3A)(b) (date of first court appearance in bail cases), for “justices' chief executive for the relevant petty sessions” substitute “ designated officer for the relevant local justice ”.

284 In section 47A (early administrative hearings conducted by justices' clerks), for “the clerk to the justices for a petty sessions area” substitute “ a justices' clerk ”.

285 In section 73(3)(a) (proof of convictions and acquittals), for “justices' chief executive” substitute “ designated officer ”.

286 In section 81(1) and (2) (advance notice of expert evidence in Crown Court), for “Crown Court Rules” substitute “ Criminal Procedure Rules ”.

**Commencement Information**

**I33** Sch. 8 para. 286 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xii)** (subject to art. 3)

*Prosecution of Offences Act 1985 (c. 23)*

287 In section 7(4) (sending to Director of Public Prosecutions of details of cases which do not proceed)—
(a) for “every justices' chief executive” substitute “ the designated officer for every magistrates' court ”, and
(b) for “a magistrates' court for which he is the justices' chief executive” substitute “ the magistrates' court ”.

288 (1) Amend section 20 (regulations) as follows.

(2) Omit subsection (5).

(3) In subsection (6), for “and supplemental” substitute “ , supplemental and transitional ”.

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(4) In subsection (7), after "19(1)" insert " , 19A or 19B ".

(5) In subsection (8)(a)(ii), for "a party to the proceedings" substitute " any person ".

**Commencement Information**

**I34** Sch. 8 para. 288 wholly in force; Sch. 8 para. 288 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 288(1)(3)-(5) in force at 1.2.2004 by S.I. 2004/174, **art. 2(b)**; Sch. 8 para. 288 in force at 1.4.2005 insofar as not already in force by S.I. 2005/910, **art. 3(y)**

289 In section 21 (interpretation of Part 2), in subsection (4A)(b), for ", 19 and 19A" substitute " to 19B ".

290 (1) Amend section 23 (discontinuance of proceedings in magistrates' courts) as follows.

(2) In subsections (3), (7) and (8), for "justices' chief executive for" substitute " designated officer for ".

(3) In subsection (10), for "rules made under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I35** Sch. 8 para. 290 partly in force; Sch. 8 para. 290 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 290(1)(3) in force at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiii)** (with art. 3); Sch. 8 para. 290(2) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

*Local Government Act 1985 (c. 51)*

291 Omit section 99 (disqualification of justices).

292 In Schedule 13 (residuary bodies), omit paragraph 13(i).

*Transport Act 1985 (c. 67)*

293 (1) Amend section 17 (London taxi and taxi driver licensing: appeals) as follows.

(2) In subsections (2)(b) and (5), for "the appropriate" substitute " a magistrates' ".

(3) In subsection (10), omit the definition of "the appropriate court".

*Insolvency Act 1986 (c. 45)*

294 In section 124(1) (application for winding up), for "a justices' chief executive" substitute " the designated officer for a magistrates' court ".

295 (1) Amend section 183 (effect of execution or attachment) as follows.

(2) In subsection (2)(b), for "sheriff" substitute " enforcement officer or other officer charged with the execution of the writ ".

(3) In subsection (4), for the words from " "the sheriff"" onwards substitute " "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003 ".

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296 (1) Amend section 184 (duties of sheriff) as follows.

(2) In subsection (1), for "sheriff" substitute " enforcement officer, or other officer, charged with execution of the writ or other process, ".

(3) In subsections (2), (3) and (4), for "sheriff", in each place where it occurs, substitute " enforcement officer or other officer ".

(4) In subsection (6), for the words from " "the sheriff"" onwards substitute " "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003. "

(5) In the section heading, for "sheriff" substitute " officers charged with execution of writs and other processes ".

297 (1) Amend section 346 (enforcement procedures) as follows.

(2) In subsections (2), (3)(b), (4) and (8)(b), for "sheriff", in each place where it occurs, substitute " enforcement officer ".

(3) In subsection (7), for "a sheriff" substitute " an enforcement officer ".

(4) After subsection (8), insert—

"(9) In this section "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003."

298 (1) Amend section 347 (distress) as follows.

(2) In subsection (6), for "sheriff" substitute " enforcement officer, ".

(3) In subsection (7)—

(a) for "a sheriff" substitute " an enforcement officer ", and

(b) for "the sheriff" substitute " the enforcement officer ".

(4) After subsection (10), insert—

"(11) In this section "enforcement officer" means an individual who is authorised to act as an enforcement officer under the Courts Act 2003."

299 In paragraph 12(1)(d) of Schedule B1 (application for administration order), for "justices' chief executive" substitute " designated officer ".

*Company Directors Disqualification Act 1986 (c. 46)*

300 In—

(a) section 2(2)(c) (court which may make disqualification order on conviction of indictable offence),

(b) section 5(2) (disqualification on summary conviction),

for "for the same petty sessions" substitute " in the same local justice ".

*Fire Safety and Safety of Places of Sport Act 1987 (c. 27)*

301 In section 41 (interpretation), in the definition of "the court", omit "acting for the petty sessions area in which it is situated".

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*Coroners Act 1988 (c. 13)*

302 In—

(a) sections 16(1)(a) (adjournment of inquest in event of criminal proceedings), and

(b) section 17(1) (supplementary provisions),

for "justices' chief executive for" substitute " designated officer for ".

*Criminal Justice Act 1988 (c. 33)*

303 (1) Amend section 41 (power of Crown Court to deal with summary offence where person committed for either way offence) as follows.

(2) For subsection (8), substitute—

"(8) If he does not plead guilty, the Crown Court may try him for the offence, but may deal with him only in a manner in which a magistrates' court could have dealt with him."

(3) Omit subsection (9).

(4) In subsections (10) and (11)(a), for "justices' chief executive for" substitute " designated officer for ".

304 In section 67(1) (notification of fine imposed by coroner), for "justices' chief executive for" substitute " designated officer for ".

*Local Government Finance Act 1988 (c. 41)*

305 In—

(a) section 74(1)(c) (levies), and

(b) section 117(5)(c) (rates and precepts: abolition),

for ", combined fire authority, or magistrates' courts committee" substitute " or combined fire authority ".

*Road Traffic Act 1988 (c. 52)*

306 In section 90(1)(a) (application to court for review of conduct of test), omit "acting for the petty sessions area in which he resides".

307 In section 100(1) (appeals relating to licences), omit "acting for the petty sessions area in which he resides".

308 In section 119(1) (appeal to sheriff)—

(a) omit "acting for the petty sessions area in which the holder of or applicant for the licence resides", and

(b) for "he" substitute " the holder of or applicant for the licence ".

309 In section 133(1)(a) (review of examinations by magistrates' court), for "the magistrates' court acting for the petty sessions area in which he resides" substitute " a magistrates' court ".

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*Road Traffic Offenders Act 1988 (c. 53)*

310 In section 7(2) (duty to produce licence), for "justices' chief executive" substitute " designated officer ".

311 In sections 8(a) and 25(2)(a) (notification of date of birth and sex), for "a justices' chief executive" substitute " the designated officer for a magistrates' court ".

312 In section 26 (interim disqualification)—

(a) renumber the subsection inserted by paragraph 143(3) of Schedule 13 to the Access to Justice Act 1999 as subsection (7A), and

(b) in that subsection, for "justices' chief executive" substitute " designated officer ".

313 In section 27(5) (production of licence), for "justices' chief executive" substitute " designated officer ".

314 [F44] . . . . . .

**Textual Amendments**

**F44** Sch. 8 para. 314 repealed (31.3.2009) by Road Safety Act 2006 (c. 49), ss. 59, 61, **Sch. 7(2)**; S.I. 2008/3164, **art. 3(d)**

315 (1) Amend section 69 (payment of fixed penalty) as follows.

(2) In subsection (1), for "justices' chief executive" substitute " designated officer for a magistrates' court ".

(3) In subsection (4), for "justices' chief executive or" substitute " designated officer or ".

316 In section 70(4)(a) (registration certificate), for "justices' chief executive for the petty sessions" substitute " designated officer for the local justice ".

317 (1) Amend section 71 (registration of sums payable in default) as follows.

(2) In subsection (1)—

(a) for "a justices' chief executive" substitute " the designated officer for a local justice area ",

(b) for "petty sessions area for which he is the justices' chief executive" substitute " local justice area for which he is the designated officer ",

(c) for "acting for" substitute " acting in ",

(d) for "other petty sessions" substitute " other local justice ", and

(e) for "justices' chief executive for" substitute " designated officer for ".

(3) In subsection (2)(c), for "justices' chief executive for the petty sessions" substitute " designated officer for the local justice ".

(4) In subsection (2A), for "executives" substitute " officers ".

(5) In subsection (6), for "justices' chief executive for a petty sessions" substitute " designated officer for a local justice ".

318 In section 74(5) (provisions supplementary to sections 72 and 73)—

(a) for "petty sessions" substitute " local justice ",

(b) for "for that area" substitute " in that area ", and

(c) for "justices' chief executive" substitute " designated officer ".

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319 In section 75(6) (conditional offer of fixed penalty: fixed penalty clerk), for "justices' chief executive" substitute " designated officer ".

320 (1) Amend section 82 (accounting for fixed penalties) as follows.

(2) In subsection (1), for "section 60 of the Justices of the Peace Act 1997 (application of fines and fees)" substitute " section 38 of the Courts Act 2003 (application of receipts of designated officers) ".

(3) Omit subsections (2), (2A) and (3).

321 F45 . . . . . .

**Textual Amendments**

**F45** Sch. 8 para. 321 repealed (31.3.2009) by Road Safety Act 2006 (c. 49), ss. 59, 61, **Sch. 7(2)**; S.I. 2008/3164, **art. 3(d)**

322 In section 84(c) (power to make regulations prescribing duties), for "justices' chief executives" substitute " designated officers ".

*Dangerous Dogs Act 1989 (c. 30)*

323 In section 1 (additional powers of court on complaint about dangerous dog) in—

(a) subsection (4), and

(b) subsection (7),

for "for the same petty sessions" substitute " in the same local justice ".

*Extradition Act 1989 (c. 33)*

324 In section 7(3) (rules as to service of documents), for "Rules under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I36** Sch. 8 para. 324 partly in force; Sch.8 para. 324 not in force at Royal Assent see s. 110(1)(2); Sch 8 para. 324 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiv)** (with art. 3)

325 In section 8(1)(a) (issue of warrant of arrest for purposes of committal), for "the Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him" substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

326 In section 9(2) (proceedings for committal), for "the Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him" substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

327 In section 13(5)(a) (return to foreign states – supplementary), for "rules under section 84 of the Supreme Court Act 1981" substitute " Criminal Procedure Rules ".

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**Commencement Information**

**I37** Sch. 8 para. 327 partly in force; Sch. 8 para. 327 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 327 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiv)** (with art. 3)

328 In section 14(2) (simplified procedure)—

(a) for "rules under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ", and

(b) for the words from "without" to "include power to" substitute " those rules may ".

**Commencement Information**

**I38** Sch. 8 para. 328 partly in force; Sch. 8 para. 328 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 328 in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiv)** (with art. 3)

329 (1) Amend Schedule 1 (provisions deriving from Extradition Act 1870 (c. 52) and associated enactments) as follows.

(2) In paragraph 4(2), for "the Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him" substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

(3) In paragraph 5(1)(a) and (3), for "the Senior District Judge (Chief Magistrate), or another District Judge (Magistrates' Courts) designated by him," substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

(4) In paragraph 9(2), for "rules under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ".

(5) In paragraph 13(1)(a), for "the Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him" substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

**Commencement Information**

**I39** Sch. 8 para. 329 partly in force; Sch. 8 para. 329 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 329(1)(4) in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiv)** (with art. 3); Sch. 8 para. 329(2)(3)(5) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

330 (1) In paragraph 5 of Schedule 1A (adaptation of Act where 1995 Convention applies), amend inserted section 14A as follows.

(2) In subsection (4), for "rules under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ".

(3) In subsection (5)—

(a) for the words from "Without" to "includes power to" substitute " Criminal Procedure Rules may ", and

(b) for "a Senior District Judge (Chief Magistrate) or another District Judge (Magistrates' Courts) designated by him" substitute " a District Judge (Magistrates' Courts) designated by the Lord Chancellor ".

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**Commencement Information**

**I40** Sch. 8 para. 330 partly in force; Sch. 8 para. 330 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 330(1)(2)(3)(a) in force for certain purposes at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xiv)** (with art. 3); Sch. 8 para. 330(3)(b) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

*Football Spectators Act 1989 (c. 37)*

331 [F46] . . . . . .

**Textual Amendments**

**F46** Sch. 8 para. 331 repealed (6.4.2007) by Violent Crime Reduction Act 2006 (c. 38), ss. 65, 66, **Sch. 5**; S.I. 2007/858, **art. 2(m)(n)(xvi)**

332 In—

(a) section 14G(3) (variation of banning order),

(b) section 14H(6) (termination of banning order),

for "for the same petty sessions" substitute " in the same local justice ".

333 (1) Amend section 18 (information) as follows.

(2) In subsection (1), for "justices' chief executive for" substitute " designated officer for ".

(3) In subsection (2), for "clerk of" substitute " designated officer for ".

(4) Omit subsection (4).

334 In section 20(7) (appeal against refusal to grant exemption), omit "acting for the petty sessions area in which he resides".

335 In section 22(2) (banning orders arising out of offences outside England and Wales) —

(a) omit "for any area",

(b) omit "who resides or is believed to reside in that area", and

(c) omit "for that area" (in both places).

*Children Act 1989 (c. 41)*

[F47]336 . . . . . .

**Textual Amendments**

**F47** Sch. 8 para. 336 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

337 (1) Amend section 97 (privacy for children involved in certain proceedings) as follows.

(2) In subsection (1), for "Rules made under section 144 of the Magistrates' Courts Act 1980" substitute " Family Procedure Rules ".

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(3) Omit subsection (7)(a).

**Commencement Information**

**I41** Sch. 8 para. 337 in force at 6.4.2011 by S.I. 2010/2921, **art. 3(b)**

[F48]338 . . . . . .

**Textual Amendments**

**F48** Sch. 8 para. 338 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

339 In paragraph 10(6) of Schedule 1 (jurisdiction to hear application for alteration of maintenance agreement), for "at least one of the parties is resident in the commission area for which the court is appointed" substitute " the court acts in, or is authorised by the Lord Chancellor to act for, a local justice area in which at least one of the parties is resident ".

340 In paragraph 24(6) of Schedule 2 (signature as evidence of contribution order), for "justices' chief executive for" substitute " designated officer for ".

*Local Government and Housing Act 1989 (c. 42)*

341 In section 39(1) (authorities to which provisions about revenue accounts and capital apply), omit paragraph (ea).

342 In section 67(3) (authorities to which provisions about interests in companies apply), omit paragraph (ga).

*Town and Country Planning Act 1990 (c. 8)*

343 In section 217(2) (appeal to magistrates' court against section 215 notice), omit "acting for the petty sessions area in which the land in question is situated".

*Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

344 In section 47(4) (application to stay compulsory acquisition of listed building in need of repair), omit "acting for the petty sessions area within which the building is situated".

345 In section 50(6) (application to court following direction for minimum compensation), omit "acting for the petty sessions area in which the building is situated".

*Computer Misuse Act 1990 (c. 18)*

346 Omit section 11(1) (magistrates' court's jurisdiction).

347 [F49] . . . . . .

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**Textual Amendments**

**F49** Sch. 8 para. 347 repealed (1.10.2008) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 4**; S.I. 2008/2503, **art. 2(d)(ii)**

*Courts and Legal Services Act 1990 (c. 41)*

348 Omit section 1(12) (duty of Lord Chancellor to prepare annual reports as to the business of the **[**[F50]Senior Courts**]** and county courts).

**Textual Amendments**

**F50** Words in Sch. 8 para. 348 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59, 148, **Sch. 11 para. 4**; {S.I. 2009/1604, art. 2(d)}

[F51]349 . . . . . .

**Textual Amendments**

**F51** Sch. 8 para. 349 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 10 para. 99** Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

**Commencement Information**

**I42** Sch. 8 para. 349 in force at 6.4.2011 by S.I. 2010/2921, **art. 3(b)**

*Criminal Justice Act 1991 (c. 53)*

350 In section 20A(2)(a) (official request for statement of financial circumstances), for "justices' chief executive for" substitute " designated officer for ".

351 Omit sections 76 to 78 (court security).

352 (1) Amend section 92 (interpretation of Part 4) as follows.

(2) In subsection (1), omit the definitions of "court-house" and "court security officer".

(3) Omit subsection (2).

*Dangerous Dogs Act 1991 (c. 65)*

353 In section 4 (destruction and disqualification orders)—

(a) in subsection (6), and

(b) in subsection (9)(d),

for "for the same petty sessions" substitute " in the same local justice ".

*Social Security Administration Act 1992 (c. 5)*

354 In section 107 (recovery of expenditure on income support)—

(a) in subsections (5)(c) and (9), for "the clerk to the justices for the petty sessions area for which the court is acting" substitute " a justices' clerk ",

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(b) in subsections (5) and (11), for "to the justices' chief executive for the court" substitute " to the designated officer for the court ", and

(c) in subsection (15), for the definition of "court" substitute—

""court" (where it occurs other than in the expression "magistrates' court") means in England and Wales a magistrates' court, and in Scotland the sheriff;".

355 In section 121(1) (unpaid contributions – supplementary)—

(a) in paragraph (a), for "rules under section 144 of that Act" substitute " Criminal Procedure Rules ", and

(b) in paragraph (b), for "justices' chief executive for" substitute " designated officer for ".

**Commencement Information**

**I43** Sch. 8 para. 355 partly in force; Sch. 8 para. 355 not in force at Royal Assent see s. 110(1)(2); Sch. 8 para. 355(a) in force at 1.9.2004 by S.I. 2004/2066, **art. 2(c)(xv)** (with art. 3); Sch. 8 para. 355(b) in force at 1.4.2005 by S.I. 2005/910, **art. 3(y)**

*Local Government Finance Act 1992 (c. 14)*

356 In section 19(3) (exclusion of Crown exemption), omit paragraph (ea).

*Friendly Societies Act 1992 (c. 40)*

357 For section 110 (jurisdiction of magistrates' courts) substitute—

"**110 Jurisdiction of magistrates' courts in Northern Ireland**

(1) In Northern Ireland, a friendly society or an officer of a friendly society may be prosecuted for a summary offence under this Act before a magistrates' court acting for the county court division in which the registered office of the society is situated.

(2) Subsection (1) is without prejudice to the provisions of the Magistrates' Courts (Northern Ireland) Order 1981 as to the jurisdiction of a magistrates' court."

*Charities Act 1992 (c. 41)*

358 In section 71(3) (appeals), omit from "and references" onwards.

*Protection of Badgers Act 1992 (c. 51)*

359 In section 13 (powers of court where dog used or present at commission of offence)—

(a) in subsection (5), and

(b) in subsection (9)(c),

for "for the same petty sessions" substitute " in the same local justice ".

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*Tribunals and Inquiries Act 1992 (c. 53)*

360 In Schedule 1 (tribunals under direct supervision of Council on Tribunals), omit the entry relating to a person appointed under section 54(6) of the Justices of the Peace Act 1997.

*Pension Schemes Act 1993 (c. 48)*

361 In section 68(1)(b) (receipt of statement of admission of failure to pay premiums), for "justices' chief executive for" substitute " designated officer for ".

*Vehicle Excise and Registration Act 1994 (c. 22)*

362 In—

(a) section 51(3)(b)(i) (meaning of "appropriately proved"), and

(b) section 55(2)(a)(ii) (meaning of "appropriately proved"),

for "rules under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I44** Sch. 8 para. 362 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xvi)** (subject to art. 3)

*Value Added Tax Act 1994 (c. 23)*

363 In section 82(3) (power to appoint officers and staff for carrying out the administrative work of tribunals in England and Wales), for "section 27 of the Courts Act 1971" substitute " section 2(1) of the Courts Act 2003 ".

*Drug Trafficking Act 1994 (c. 37)*

364 In section 55(7) (power to make rules about orders under section 55), for "Crown Court Rules" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I45** Sch. 8 para. 364 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xvii)** (subject to art. 3)

*Road Traffic (New Drivers) Act 1995 (c. 13)*

365 In paragraph 3(3A) of Schedule 1 (test certificate not previously supplied), for "justices' chief executive" substitute " designated officer ".

*Merchant Shipping Act 1995 (c. 21)*

366 In section 68(4A) (particulars of fine for not co-operating with inquiry into fitness of seaman)—

(a) for "(1)" substitute " (4) ", and

(b) for "justices' chief executive" substitute " designated officer ".

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*Criminal Appeal Act 1995 (c. 35)*

367 In section 22 (meaning of public body etc.), omit subsection (5).

*Disability Discrimination Act 1995 (c. 50)*

368 (1) Amend section 38 (appeal against refusal of exemption certificate) as follows.

(2) In subsection (1), for "the appropriate" substitute " a magistrates' ".

(3) Omit subsection (3).

*Reserve Forces Act 1996 (c. 14)*

369 In paragraph 7(3A) of Schedule 2 (fee payable on delivery into military, air-force or naval custody of person dealt with by court of summary jurisdiction as illegally absent), for "justices' chief executive" substitute " designated officer ".

370 In paragraph 9(4) of Schedule 3 (certificate as proof of outcome of civil trial), for "justices' chief executive" substitute " designated officer ".

*Police Act 1996 (c. 16)*

371 In section 5(2) (consultation before reduction in size of police authority)—

(a) at the end of paragraph (a), insert " and ", and

(b) omit paragraph (c) and "and" before it.

372 In section 5C(3) (consultation before reduction in size of Metropolitan Police Authority)—

(a) at the end of paragraph (a), insert " and ", and

(b) omit paragraph (c) and "and" before it.

373 F52 . . . . . .

**Textual Amendments**

**F52** Sch. 8 para. 373 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, **art. 3(o)(s)(v)** (subject to arts. 6, 7)

374 F53 . . . . . .

**Textual Amendments**

**F53** Sch. 8 para. 374 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, **art. 3(o)(s)(v)** (subject to arts. 6, 7)

375 F54 . . . . . .

**Textual Amendments**

**F54** Sch. 8 para. 375 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, **art. 3(o)(s)(v)** (subject to arts. 6, 7)

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376 F55 . . . . . .

**Textual Amendments**

**F55** Sch. 8 para. 376 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), ss. 52, 53(1)(b), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, **art. 3(o)(s)(v)** (subject to arts. 6, 7)

*Criminal Procedure and Investigations Act 1996 (c. 25)*

377 (1) Amend section 19 (rules of court) as follows.

(2) In subsection (1), for the words from the beginning to "sections" substitute " The power to make Criminal Procedure Rules ".

(3) In subsection (3), for "Rules made under section 144 of the Magistrates' Courts Act 1980" substitute " Criminal Procedure Rules made ".

**Commencement Information**

**I46** Sch. 8 para. 377 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xviii)** (subject to art. 3)

378 In section 20(3) (rules as to disclosure), for the words from "Without" to "that section" substitute " The power to make Criminal Procedure Rules ".

**Commencement Information**

**I47** Sch. 8 para. 378 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xviii)** (subject to art. 3)

379 In section 33 (Crown Court Rules)—

(a) in subsections (1) and (2), for "Crown Court Rules" substitute " Criminal Procedure Rules ", and

(b) for the section heading, substitute " Criminal Procedure Rules ".

**Commencement Information**

**I48** Sch. 8 para. 379 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xviii)** (subject to art. 3)

380 In paragraph 4 of Schedule 2 (rules about statements and depositions), for the words from "Without prejudice" to "includes power to" substitute " Criminal Procedure Rules may ".

**Commencement Information**

**I49** Sch. 8 para. 380 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xviii)** (subject to art. 3)

381 In paragraph 13(2) of Schedule 4 (modification of section 20(3) in relation to Northern Ireland), for "that section" substitute " Rules ".

***Status:*** *Point in time view as at 01/10/2018.*
***Changes to legislation:*** *Courts Act 2003, SCHEDULE 8 is up to date with all changes known to be in force on or before 06 July 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)*

**Commencement Information**

**I50** Sch. 8 para. 381 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xviii)** (subject to art. 3)

*National Minimum Wage Act 1998 (c. 39)*

382 After section 45 insert—

"**45A Persons discharging fines by unpaid work**

A person does not qualify for the national minimum wage in respect of any work that he does in pursuance of a work order under Schedule 6 to the Courts Act 2003 (discharge of fines by unpaid work)."

*Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11)*

383 **[**[F56]In section 9(9) (application for termination of disqualification), for "for the same petty sessions" substitute " in the same local justice ".**]**

**Textual Amendments**

**F56** Sch. 8 para. 383 omitted (E.W.) (1.10.2018) by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 13** (with reg. 27)

*Youth Justice and Criminal Evidence Act 1999 (c. 23)*

384 In each of the following provisions, for "rules of court" substitute " Criminal Procedure Rules "

(a) section 20(6) (applications about special measures directions);
(b) section 27(4)(b) (video recorded evidence in chief);
(c) section 28(2) and (4) (video recorded cross-examination or re-examination);
(d) section 29(3) and (5) (examination of witness through intermediary);
(e) section 37(5) (applications about directions under section 36);
(f) section 38(6) and (7) (defence representation for purposes of cross-examination);
(g) section 43(3) (procedure on applications under section 41);
(h) section 65(1) (power to make rules for purposes of Act).

**Commencement Information**

**I51** Sch. 8 para. 384 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xix)** (subject to art. 3)

385 In section 24 (evidence by live link), omit subsections (5) to (7).

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386 In section 44(11) (restrictions on reporting of offences), for "rules of court" substitute " Criminal Procedure Rules in England and Wales, or rules of court in Northern Ireland ".

**Commencement Information**

**I52** Sch. 8 para. 386 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xix)** (subject to art. 3)

387 Omit section 65(2) (meaning of "rules of court").

**Commencement Information**

**I53** Sch. 8 para. 387 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xix)** (subject to art. 3)

*Terrorism Act 2000 (c. 11)*

388 (1) Amend Schedule 4 (forfeiture orders) as follows.

(2) In paragraph 4(1), for "justices' chief executive" (in each place) substitute " designated officer ".

(3) In paragraph 13(5)(b), for "a justices' chief executive" substitute " the designated officer for a magistrates' court ".

(4) In paragraph 46(2)(a), for "section 60 of the Justices of the Peace Act 1997 (application of fines, etc.)" substitute " section 38 of the Courts Act 2003 (application of receipts of designated officers) ".

389 (1) Amend Schedule 5 (terrorist investigations: information) as follows.

(2) In paragraph 10(2), for "Crown Court Rules" substitute " Criminal Procedure Rules ".

(3) In paragraph 18, after paragraph (d) insert—

"(dd) the reference in paragraph 10(2) to "Criminal Procedure Rules" shall be taken as a reference to Crown Court Rules,".

**Commencement Information**

**I54** Sch. 8 para. 389 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xx)** (subject to art. 3)

390 (1) Amend paragraph 4 of Schedule 6 (procedure on application for provision of financial information) as follows.

(2) In sub-paragraph (1), for "Crown Court Rules" substitute " Criminal Procedure Rules ".

(3) After sub-paragraph (2) insert—

"(3) Crown Court Rules may make provision about the procedure for an application under paragraph 1."

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**Commencement Information**

**I55** Sch. 8 para. 390 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xx)** (subject to art. 3)

391 In paragraph 29(4)(a) of Schedule 8(extension of detention: meaning of judicial authority), omit "the Senior District Judge (Chief Magistrate) or his deputy, or".

*Freedom of Information Act 2000 (c. 36)*

392 In Schedule 1 (public authorities), omit paragraph 34.

*Criminal Justice and Court Services Act 2000 (c. 43)*

393 In paragraph 2(2) of Schedule 1 (constitution of local probation boards), for "or a Recorder" substitute " , a Recorder or a District Judge (Magistrates' Courts) ".

*Vehicles (Crime) Act 2001 (c. 3)*

394 In section 38(5) (unified power to fund speed cameras)—
(a) at the end of paragraph (b) insert " and ", and
(b) omit paragraph (c).

*Private Security Industry Act 2001 (c. 12)*

395 (1) Amend section 11 (appeals in licensing matters) as follows.

(2) In subsection (1), for "the appropriate" substitute " a ".

(3) Omit subsection (3).

(4) In subsection (6)(d)—
(a) omit "appropriate", and
(b) for "that" substitute " the ".

396 (1) Amend section 18 (appeals relating to approvals) as follows.

(2) In subsection (1), for "the appropriate" substitute " a ".

(3) Omit subsection (3).

(4) In subsection (5)(d)—
(a) omit "appropriate", and
(b) for "that" substitute " the ".

*Criminal Justice and Police Act 2001 (c. 16)*

397 In section 3(3)(f) (penalty notice for disorderly behaviour), for "justices' chief executive" substitute " designated officer for a local justice area ".

398 In section 7(1) (payment of penalty), for "justices' chief executive" substitute " designated officer ".

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399 In section 8(2) (certificate that sum is registrable for enforcement as a fine), for "justices' chief executive for the petty sessions" substitute " designated officer for the local justice ".

400 (1) Amend section 9 (registration of sums payable in default) as follows.

(2) In subsection (1), for "justices' chief executive for a petty sessions" substitute " designated officer for a local justice ".

(3) In subsection (2)(b), for "appropriate justices' chief executive" substitute " designated officer for the local justice area in which the defaulter resides ".

(4) In subsection (3), for "justices' chief executive" substitute " designated officer ".

401 In section 21(5) (closure of unlicensed premises), for "justices' chief executive" substitute " designated officer ".

402 In section 22(5)(a) (termination of closure order), for "justices' chief executive" substitute " designated officer ".

*International Criminal Court Act 2001 (c. 17)*

403 In—

(a) section 7(3) (form of consent to surrender), and

(b) section 13(3) (form of waiver of right to review),

for "rules under section 144 of the Magistrates' Courts Act 1980 (c. 43)" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I56** Sch. 8 para. 403 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xxi)** (subject to art. 3)

404 In section 26 (meaning of "appropriate judicial officer"), in the definition of "appropriate judicial officer" omit paragraph (a).

405 In paragraph 5(2) of Schedule 5 (orders under Part 1), after "by" insert " Criminal Procedure Rules or, in Northern Ireland, ".

**Commencement Information**

**I57** Sch. 8 para. 405 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xx)** (subject to art. 3)

*Proceeds of Crime Act 2002 (c. 29)*

406 In—

(a) section 24(1)(b) (application to discharge confiscation order: inadequacy of available amount), and

(b) section 25(1)(b) (application to discharge confiscation order: small amount outstanding),

for "a justices' chief executive" substitute " the designated officer for a magistrates' court ".

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407 In section 54(6) and (7) (payments by enforcement receivers), for "justices' chief executive" substitute " designated officer ".

408 (1) Amend section 55 (sums received by justices' chief executive) as follows.

(2) For "justices' chief executive", in each place (including the section heading) substitute " designated officer ".

(3) In subsection (2), for "chief executive's" substitute " designated officer's ".

(4) In subsection (6), for "section 60 of the Justices of the Peace Act 1997 (c. 25)" substitute " section 38 of the Courts Act 2003 ".

[F57]409 . . . . . .

**Textual Amendments**

**F57** Sch. 8 para. 409 omitted (1.6.2015) by virtue of Serious Crime Act 2015 (c. 9), s. 88(1), **Sch. 4 para. 61**; S.I. 2015/820, reg. 3(q)(vii)

410 In section 91 (Crown Court Rules) for "Crown Court Rules or (as the case may be) Criminal Appeal Rules" substitute " Criminal Procedure Rules ".

**Commencement Information**

**I58** Sch. 8 para. 410 wholly in force at 1.9.2004, see s. 110(1)(2) and S.I. 2004/2066, **art. 2(c)(xix)** (subject to art. 3)

*Adoption and Children Act 2002 (c. 38)*

411 In section 13(2) (requirement to provide information relating to adoption), for "justices' chief executive" substitute " designated officer ".

[F58]412 . . . . . .

**Textual Amendments**

**F58** Sch. 8 para. 412 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 210** Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

413 (1) Amend section 141 (rules of procedure) as follows.

(2) In subsection (1), for "The Lord Chancellor may make rules" substitute " Family Procedure Rules may make provision ".

(3) Omit subsection (2).

414 In section 144(1) (interpretation), for the definition of "rules" substitute—

""rules" means Family Procedure Rules made by virtue of section 141(1),".

**Status:**
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