

1987 No. 1201

**JUSTICES OF THE PEACE, ENGLAND AND
WALES**

The Petty Sessional Divisions (Gwynedd) Order 1987

Made - - - - 10th July 1987

Coming into force in accordance with Article 1

Whereas the magistrates' courts committee for the county of Gwynedd has, in pursuance of subsection (1) of section 23 of the Justices of the Peace Act 1979(a), submitted to the Secretary of State a draft order making provision about the division of part of the said county into petty sessional divisions:

And whereas by subsections (3)(a) and (5) of the said section it is provided that the Secretary of State may by statutory instrument make the Order either in the terms of the said draft or with such modifications as he thinks fit and that the Order may contain transitional and other consequential provisions:

And whereas the provisions of subsections (1), (2) and (3) of section 24 of the Act of 1979 have been complied with:

Now, therefore, in exercise of the powers conferred upon me by subsections (3) and (5) of the said section 23, I hereby make the following Order:-

1. This Order may be cited as the Petty Sessional Divisions (Gwynedd) Order 1987 and shall come into operation on 1st July 1987.

2. In this Order, except where the context otherwise requires, the expression "division" means petty sessional division and any reference to a justice for a division shall be construed as a reference to a justice of the peace who ordinarily acts, or, as the case may be, will on or after 1st July 1987 ordinarily act, in and for that division.

3. The community of Llanfairfechan shall cease to form part of the division of Bangor and shall be transferred to, and form part of, the division of Conwy and Llandudno.

4. The transitional and other consequential provisions set out in the Schedule to this Order shall have effect in connection with the provisions of Article 3 of this Order.

Home Office
10th July 1987

Douglas Hurd
One of Her Majesty's Principal Secretaries of State.

TRANSITIONAL AND OTHER CONSEQUENTIAL PROVISIONS

1. In this Schedule –

“community service order” means an order made under section 14 of the Powers of Criminal Courts Act 1973(a);

“probation order” means a probation order made or having effect as if made under section 2 of the Powers of Criminal Courts Act 1973;

“supervision order” means any of the following orders, that is to say

- (a) a supervision order within the meaning of section 11 of the Children and Young Persons Act 1969(b);
- (b) an order under section 21(1)(f) of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960(c) or section 9 of the Domestic Proceedings and Magistrates’ Courts Act 1978(d);
- (c) an order under section 2(2)(a) of the Guardianship Act 1973(e);
- (d) a supervision order within the meaning of section 26 of the Powers of Criminal Courts Act 1973;
- (e) an order under section 17(1)(a) or section 36(3) of the Children Act 1975(f).

2. The transfer of the community of Llanfairfechan by Article 3 of this Order shall not affect any proceedings commenced before 1st July 1987 before the justices for the Bangor division and any such proceedings may be disposed of as if the community still formed part of that division.

3. Where on 1st July 1987 periodical payments are payable under section 59 of the Magistrates’ Courts Act 1980(g) through the clerk to the justices for the Bangor division to a person who resides in the community of Llanfairfechan, the clerk may amend the order so as to require the payments to be made through the clerk to the justices for the Conwy and Llandudno division and, if the clerk does so amend the order, he shall give notice of the amendment to the person entitled to the payments, to the person required to make the payments and to the clerk to the justices for Conwy and Llandudno.

4. Where on 1st July 1987 a community service order, probation order or supervision order is in force and the offender, probationer or person under supervision is residing in the community of Llanfairfechan, the justices for the Bangor division may amend the order in regard to the division named as if the offender, probationer or person under supervision, as the case may be, had changed his residence.

5. Any order made, licence granted or other thing done under the Licensing Act 1964(h) or the Licensing (Occasional Permissions) Act 1983(i) by the licensing justices in respect of premises situated in the community of Llanfairfechan, being an order or licence in force or other thing having effect immediately before 1st July 1987, shall continue to have like effect on and after that date as if this Order had not been made but shall be treated as if it had been made, granted or done by the licensing justices for the Conwy and Llandudno division.

6. Anything done under the Betting, Gaming and Lotteries Act 1963(j) or the Gaming Act 1968(k) by or in relation to the betting licensing committee for the Bangor division in respect of premises situated in the community of Llanfairfechan, being a thing having effect immediately before 1st July 1987, shall continue to have like effect on and after that date as if this Order had not been made but shall be treated as if it had been done by, or in relation to, the betting licensing committee for the Conwy and Llandudno division, and anything done under either of those Acts by, or in relation to, any other person or body shall have effect accordingly.

(a) 1973 c. 62.

(d) 1978 c. 22.

(g) 1980 c. 43.

(j) 1963 c. 2.

(b) 1969 c. 54.

(e) 1973 c. 29.

(h) 1964 c. 26.

(k) 1968 c. 65.

(c) 1960 c. 48.

(f) 1975 c. 72.

(i) 1983 c. 24.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to a draft Order submitted by the magistrates' courts committee for the county of Gwynedd and provides for the transfer to the Conwy and Llandudno division of the community of Llanfairfechan.