

1990 No. 1275

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Petty Sessional Divisions (Berkshire) Order 1990

Made - - - - - *18th June 1990*

Coming into force *1st January 1991*

Whereas the magistrates' courts committee for the County of Berkshire 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 said 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 (Berkshire) Order 1990 and shall come into force on 1st January 1991.

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 January 1991 ordinarily act, in and for that division.

3. Each of the areas specified in column 1 of Schedule 1 to this Order shall cease to form part of the division specified opposite thereto in column 2 of Schedule 1 and shall be transferred to, and form part of, the division specified opposite thereto in column 3 of Schedule 1.

4. The transitional and consequential provisions set out in Schedule 2 to this Order shall have effect in connection with the provisions of article 3 of this Order.

Home Office
18th June 1990

David Waddington
One of Her Majesty's Principal Secretaries of State

SCHEDULE 1

Article 3

<i>Column 1</i> Area to be transferred	<i>Column 2</i> Division of which it shall cease to be part	<i>Column 3</i> Division to which it shall be transferred
Parish of Aldermaston	Reading & Sonning	West Berkshire
Parish of Ashampstead	Reading & Sonning	West Berkshire
Parish of Beenham	Reading & Sonning	West Berkshire
Parish of Bradfield	Reading & Sonning	West Berkshire
Parish of Padworth	Reading & Sonning	West Berkshire
Parish of Stanford Dingley	Reading & Sonning	West Berkshire
Parish of Ufton Nervet	Reading & Sonning	West Berkshire
The Dedworth electoral ward of the Parish of Bray	Maidenhead	Windsor
The Oakley Green & Fifield electoral ward of the Parish of Bray	Maidenhead	Windsor
Parish of Ruscombe	The Forest	Maidenhead
Parish of Twyford	The Forest	Maidenhead
Parish of Waltham St Lawrence	The Forest	Maidenhead
Parish of Wargrave	The Forest	Maidenhead
The Priory electoral ward of the Parish of Wingfield	Windsor	The Forest

SCHEDULE 2

Article 4

TRANSITIONAL AND OTHER CONSEQUENTIAL PROVISIONS

1. In this Schedule—

“respective division” means a division in column 2 or column 3 of Schedule 1 to this Order which is specified opposite one of the areas to be transferred in column 1 of Schedule 1 to this Order;

“respective area” means an area in column 1 of Schedule 1 to this Order which is specified opposite one of the divisions in column 2 or column 3 of Schedule 1 to this Order;

“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 2(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 an area listed in column 1 of Schedule 1 by article 3 of this Order shall not affect any proceedings commenced before 1st January 1991 before justices for the respective division specified in column 2 and any such proceedings may be disposed of as if the area still formed part of that division.

(a) 1973 c. 62.
 (b) 1969 c. 54.
 (c) 1960 c. 48.
 (d) 1978 c. 22.
 (e) 1973 c. 29.
 (f) 1975 c. 72.

3. Where on 1st January 1991 periodical payments are payable under section 59 of the Magistrates' Courts Act 1980(a) through the clerk to the justices for a division specified in column 2 of Schedule 1 to a person who resides in the respective area listed in column 1 the clerk may amend the order so as to require the payments to be made through the clerk to the justices for the respective division specified in column 3 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 the respective division specified in column 3.

4. Where on 1st January 1991 a community service order, probation order or supervision order is in force and the offender, probationer or person under supervision is residing in one of the areas specified in column 1 of Schedule 1, the justices for the respective division in column 2 of Schedule 1 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(b), the Licensing (Occasional Permissions) Act 1983(c) or section 3 of the Sporting Events (Control of Alcohol etc.) Act 1985(d) by the licensing justices in respect of premises situated in one of the areas listed in column 1 of Schedule 1 being an order or licence in force or other thing having effect immediately before 1st January 1991, 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 respective division specified in column 3 of Schedule 1.

6. Anything done under the Betting, Gaming and Lotteries Act 1963(e) or the Gaming Act 1968(f) by or in relation to the betting licensing committee for a division specified in column 2 of Schedule 1 in respect of premises situated in the respective area listed in column 1 of Schedule 1, being a thing having effect immediately before 1st January 1991, 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 respective division specified in column 3 of Schedule 1, and anything done under either of those Acts by, or in relation to, any other person or body shall have effect accordingly.

(a) 1980 c. 43.
(b) 1964 c. 26.
(c) 1983 c. 24.
(d) 1985 c. 57.
(e) 1963 c. 2
(f) 1968 c. 65

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 Berkshire and provides for the transfer of certain areas between the petty sessional divisions of Maidenhead, Reading & Sonning, The Forest, West Berkshire and Windsor.

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