

2001 No. 2712

MAGISTRATES' COURTS, ENGLAND AND WALES

**The Greater London Magistrates' Courts Authority
(Constitution) (Amendment) Regulations 2001**

Made - - - - - *23rd July 2001*

Laid before Parliament *26th July 2001*

Coming into force - - *1st September 2001*

The Lord Chancellor, in exercise of the powers conferred on him by section 30B of the Justices of the Peace Act 1997(a), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Greater London Magistrates' Courts Authority (Constitution) (Amendment) Regulations 2001 and shall come into force on 1st September 2001.

(2) In these Regulations—

- (a) “the 1999 Regulations” means the Greater London Magistrates' Courts Authority (Constitution) Regulations 1999(b); and
- (b) references to a regulation by number alone are references to a regulation so numbered in the 1999 Regulations.

Amendments to the 1999 Regulations

2. For paragraph (2) of regulation 9 there shall be substituted the following paragraph—

“(2) A member may not serve as a member of the Authority, other than as a co-opted member (when regulation 13(3A) applies), for periods totalling more than 9 years.”

3. For paragraph (3) of regulation 13, there shall be substituted the following paragraphs—

“(3) Subject to paragraph (3A), the Authority may, with the approval of the Lord Chancellor, renew the period of co-option of a co-opted member.

(3A) A person may not serve as a co-opted member of the Authority for periods totalling more than 3 years unless there are exceptional circumstances.

(3B) Any period served as a co-opted member of the Authority before 1st September 2001 shall not count towards the maximum period of service permitted by paragraph (3A).”

4. For paragraph (10) of regulation 18 there shall be substituted the following paragraph—

(a) 1997 c. 25. Section 30B was inserted into the Justices of the Peace Act 1997 by section 83 (1) of the Access to Justice Act 1999 (c. 22).

(b) S.I. 1999/3099; amended by S.I. 2000/2149.

“(10) A person who—

- (a) has been ordered to vacate office as chairman or as a member of the Authority under section 38(3) or (4); or
- (b) is the subject of an order under section 39B(2)(a) that he cease to be a member of the Authority or cease to be a member for a specified period,

shall be deemed to have served for the whole period for which he was appointed as chairman or member of the Authority, as the case may be, for the purpose of calculating the maximum periods of service set out in regulations 9(2) and 11(4).”

5. In Schedule 4 to the 1999 Regulations—

(a) in paragraph 3(1)(a), for “29.89p” there shall be substituted “30.98p”;

(b) for paragraph 3(1)(b) and (c) there shall be substituted the following—

“(b) for the use of a motor vehicle of cylinder capacity of 1,101 cubic centimetres up to and including 1,500 cubic centimetres, 39.90p a mile;

(c) for the use of a motor vehicle of cylinder capacity exceeding 1,500 cubic centimetres, 50.65p a mile.”

(c) in paragraph 3(2), for “25.60p” there shall be substituted “26.13p”.

Signed by the authority of the Lord Chancellor

Michael Wills
Parliamentary Secretary
Lord Chancellor’s Department

Dated 23rd July 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Greater London Magistrates’ Courts Authority (Constitution) Regulations 1999 as follows:

- Regulation 13 (co-opted and appointed members) is amended by providing that co-opted members of the Greater London Magistrates’ Courts Authority may serve for a maximum of three years only unless there are exceptional circumstances. Any period of service before 1st September 2001 is disregarded. A consequential amendment is made to regulation 9 (eligibility for membership of the Authority).
- Regulation 18 (exercise of default powers) is amended by substituting a new paragraph (10) so as to clarify how the maximum periods of service allowed under the Regulations are calculated if the Lord Chancellor exercises his default powers.
- The rates in Schedule 4 for travelling allowance payable to members of the Greater London Magistrates’ Courts Authority are increased (except for the use of vehicles of 1401cc to 1500cc where the rate is reduced).

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