

2001 No. 614 (L. 10)

SUPREME COURT OF ENGLAND AND WALES

The Crown Court (Amendment) Rules 2001

Made - - - - - *27th February 2001*

Laid before Parliament *2nd March 2001*

Coming into force - - *1st April 2001*

We, the Crown Court Rule Committee, in exercise of the powers conferred on us by sections 84(1) and (2) and 86 of the Supreme Court Act 1981(a), hereby make the following Rules:

1. These Rules may be cited as the Crown Court (Amendment) Rules 2001 and shall come into force on 1st April 2001.

2.—(1) The Crown Court Rules 1982(b) shall have effect subject to the amendments in the following provisions of this rule and in those provisions a reference to a numbered rule or schedule is a reference to the rule or schedule so numbered in those Rules.

(2) For the words “clerk of” in rules 7(2)(a), 7(7)(b), 8(c), 11(2)(a), 11A(2)(a), (3)(c), (7)(b) and (9)(d), 27A(2)(a) and (4)(c), Schedule 9 (in both places where they occur) and Schedule 10 there shall be substituted the words “justices’ chief executive for”.

(3) For the word “clerk” in rules 7(2)(b), 7(7)(c), 8(d) and 11(2)(b) there shall be substituted the words “chief executive”.

(4) For the words “Clerk of” in Schedule 10 there shall be substituted the words “Justices’ Chief Executive for”.

Irvine of Lairg, C
Woolf, C.J.
Kay, L.J.
Potter, L.J.
Charles Harris
L.E. Dickinson

27th February 2001

(a) 1981 c.54; section 84(I) is amended by section 10 of, and paragraph 1(1) and (4) of Schedule 2 to, the Civil Procedure Act 1997 (c.12) and section 86 is amended by section 125(3) of, and paragraph 36(2) of Schedule 18 to, the Courts and Legal Services Act 1990 (c.41)

(b) S.I.1982/1109. The relevant amending instruments are S.I.1988/952, S.I.1988/1322, S.I. 1988/1635 and S.I.1994/1480.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Crown Court Rules 1982 to transfer the administrative functions of justices' clerks under the Rules to justices' chief executives in line with section 90 (transfer of clerks' functions to chief executives) of, and Schedule 13 to, the Access to Justice Act 1999 (c.22) which implement corresponding transfers in primary legislation.

Subsection (5) of that section provides that for the purposes of that section the administrative functions of justices' clerks are all of their functions apart from those which are legal functions within the meaning given by section 48(2) of the Justices of the Peace Act 1997 (c.25), as substituted by section 89(1) of the 1999 Act.

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