

2001 No. 734

MAGISTRATES' COURTS, ENGLAND AND WALES

**The Greater London Magistrates' Courts Authority
(Accounts and Audit) Regulations 2001**

Made - - - - 6th March 2001

Laid before Parliament 7th March 2001

Coming into force 1st April 2001

The Lord Chancellor, in exercise of the powers conferred on him by section 59D(4)(b) 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 (Accounts and Audit) Regulations 2001 and shall come into force on 1st April 2001.

(2) In these Regulations:

“the 1998 Act” means the Audit Commission Act 1998(b) as amended from time to time;

“the Authority” means the Greater London Magistrates' Courts Authority referred to in section 30A(1) of the Justices of the Peace Act 1997(c).

Accounts and audit

2. Part II of the 1998 Act (accounts and audit of public bodies) shall apply to the Authority as if—

(a) the reference in section 2(2) to the accounts mentioned in Schedule 2 included the accounts of the Authority;

(b) in section 10(d):

(i) in subsection (2), after the words “the Mayor of London”, there were added the words “and (in the case of the Greater London Magistrates' Courts Authority) to the Lord Chancellor”;

(ii) subsections (5) and (6) were omitted;

(c) in section 11(8), the reference to section 101 of the 1972 Act were a reference to section 30C(1) and (2) of the Justices of the Peace Act 1997(e);

(a) 1997 c. 25. Section 59D(4) was inserted into the Justices of the Peace Act 1997 by section 83(2) of the Access to Justice Act 1999 (c. 22).

(b) 1998 c. 18.

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

(d) Sections 10, 11 and 12 have been amended by the Greater London Authority Act 1999 (c. 29), Schedule 8, paragraphs 2, 3 and 5.

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

(d) in section 12:

(i) subsections (1), (2)(b), (3) and (4) were omitted; and

(ii) in subsection (2)(a), the reference to the meeting were a reference to a meeting held for the purposes of section 11;

(e) in section 17(a):

(i) in subsection (1)(b), the reference to the Secretary of State were a reference to the Lord Chancellor;

(ii) in subsection (7), there were added a new paragraph (h) as follows:

“(h) the Greater London Magistrates’ Courts Authority.”

(f) in section 18(1)(a), the reference to the Secretary of State were a reference to the Lord Chancellor;

(g) in section 25(2), the reference to the Secretary of State were a reference to the Lord Chancellor and the reference to a body subject to audit were a reference to the Authority.

3. In relation to the Authority, references in Part II of the 1998 Act to sections of that Act shall be read as references to those sections as applied to the Authority by these Regulations.

Signed by the authority of the Lord Chancellor

Jane Kennedy
Parliamentary Secretary
Lord Chancellor’s Department

Dated 6th March 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply Part II of the Audit Commission Act 1998 (accounts and audit of public bodies) to the Greater London Magistrates’ Courts Authority with modifications.

The following provisions are applied with modification: section 2 (required audit of accounts); section 10 (transmission and consideration of section 8 reports); section 11 (consideration of reports or recommendations); section 12 (publicity for meeting under section 11); section 17 (declaration that item of account is unlawful); section 18 (recovery of amount not accounted for etc); and section 25 (extraordinary audit).

The remaining provisions of Part II of the Act are applied without modification.

(a) Sections 17 and 18 have been amended by the Greater London Authority Act 1999 (c. 29), Schedule 8, paragraphs 6 and 7. Those paragraphs are repealed and part of section 17 and the whole of section 18 are omitted and repealed by the Local Government Act 2000 (c. 22), section 90 and Schedule 6. Section 90 and the part of Schedule 6 that effects those repeals come into force on such day as the Secretary of State may by order appoint.

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