

SCHEDULE 1

Article 4

JUSTICES OF THE PEACE ACT 1997 ETC.: TRANSITIONAL PROVISIONS AND SAVINGS

1. In this Schedule “the 1997 Act” means the Justices of the Peace Act 1997<sup>(1)</sup>.

2. Section 53A of the 1997 Act<sup>(2)</sup> shall not apply to proceedings commenced before 1st April 2001 in respect of any act or omission of a justice of the peace or justices' clerk in the execution (or purported execution) of his duty—

- (a) as such a justice, or
- (b) as such a clerk exercising, by virtue of any statutory provision, any of the functions of a single justice.

3.—(1) Notwithstanding the commencement of paragraphs 15 to 17 of Schedule 12 to the Act, and the repeal of part of section 55 of the 1997 Act by Part V(6) of Schedule 15 to the Act, section 57 of the 1997 Act<sup>(3)</sup> shall continue to have effect as if—

- (a) the outer London boroughs and the Common Council of the City of London were responsible authorities for the purposes of payment to them of grants towards the sums specified in sub-paragraph (2); and
- (b) the sums specified in sub-paragraph (2) were payable for the purposes of functions under Part VI of the 1997 Act.

(2) The sums referred to in sub-paragraph (1) are sums payable by the outer London boroughs and the Common Council of the City of London in relation to loan debt contracted to support capital expenditure incurred before 1st April 1990 for the purposes of functions under Part VI of the 1997 Act.

4. The repeal of section 15(1)(a)(ii) of the Superannuation (Miscellaneous Provisions) Act 1967<sup>(4)</sup> (“the 1967 Act”) by Part V(6) of Schedule 15 to the Act shall not affect the application of section 15 of the 1967 Act in relation to any person who ceased to be a member of the metropolitan civil staffs for the purposes of section 15 of the 1967 Act before the repeal of section 15(1)(a)(ii) of that Act.

5. Notwithstanding the repeal of section 60(4) of the 1997 Act by Part V(7) of Schedule 15 to the Act, the Justices' Clerks (Accounts) Regulations 1973<sup>(5)</sup> shall continue to have effect in respect of all sums received or paid by, or owed to, a justices' clerk.

6. Section 2A of the Taxes Management Act 1970<sup>(6)</sup> shall not apply to proceedings commenced in England and Wales or in Northern Ireland before 1st April 2001 in respect of any act or omission of a General Commissioner of income tax in the execution (or purported execution) of his duty.

7. Article 6A of the Magistrates' Courts (Northern Ireland) Order 1981<sup>(7)</sup> shall not apply to proceedings commenced before 1st April 2001 in respect of any act or omission of a resident magistrate, justice of the peace or clerk of petty sessions in the execution (or purported execution) of his duty—

- (a) as such a magistrate or justice, or

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(1) 1997 c. 25.

(2) Section 53A is inserted by section 98(1) of the Access to Justice Act 1999.

(3) Section 57 was amended by section 10 of the Local Government (Contracts) Act 1997 (c. 65).

(4) 1967 c. 28. Section 15 has been amended, and part has been repealed, by the Superannuation Act 1972 (c. 11), section 14 and Schedule 8. Further amendments have been made by S.I. 1974/520; the Police and Magistrates' Courts Act 1994 (c. 29), Schedule 8, Part II, paragraph 25; and the Greater London Authority Act 1999 (c. 29), Schedule 27, paragraph 20.

(5) S.I. 1973/579, as amended by S.I. 1992/709.

(6) 1970 c. 9. Section 2A is inserted by section 102 of the Access to Justice Act 1999.

(7) S.I. 1981/1675 (N.I. 26). Article 6A is inserted by section 98(2) of the Access to Justice Act 1999.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) as such a clerk exercising, by virtue of any statutory provision, any of the functions of a magistrates' court.