

Status: Point in time view as at 31/08/2000.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), SCHEDULE 5. (See end of Document for details)

SCHEDULES

SCHEDULE 5

Section 73(2).

CONSEQUENTIAL AMENDMENTS

Extent Information

- E1** Any amendment, repeal or revocation contained in Sch. 5, except as mentioned in s. 75(3), has the same extent as the provision it amends, repeals or revokes, see s. 75(2)

The Sheriffs Act 1887 (c. 55)

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F1₁

Textual Amendments

- F1** Sch. 5 para. 1 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)

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F2₂

Textual Amendments

- F2** Sch. 5 para. 2 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Children and Young Persons Act 1933 (c. 12)

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F3₃

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Textual Amendments

- F3** Sch. 5 para. 3 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The London Building Acts (Amendment) Act 1939 (c. xcvi)

F4

Textual Amendments

- F4** Sch. 5 para. 4 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The National Assistance Act 1948 (c. 29)

F5

Textual Amendments

- F5** Sch. 5 para. 5 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Marriage Act 1949 (c. 76)

F6

Textual Amendments

- F6** Sch. 5 para. 6 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Licensing Act 1964 (c. 26)

F7

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Textual Amendments

- F7** Sch. 5 para. 7 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Administration of Justice Act 1964 (c. 42)

F88

Textual Amendments

- F8** Sch. 5 para. 8 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

- 9 In the Schedule to the Backing of Warrants (Republic of Ireland) Act 1965 (proceedings before magistrates' court: supplementary provisions), for the proviso to paragraph 2 there shall be substituted—

“2A Section 15 of the Justices of the Peace Act 1997 (which exempts stipendiary magistrates from certain restrictions imposed by the Magistrates' Courts Act 1980) shall apply as if paragraph 2 of this Schedule were contained in the Magistrates' Courts Act 1980.”

and, in paragraph 3, for “paragraph 2” there shall be substituted “ paragraphs 2 and 2A ”.

The Immigration Act 1971 (c. 77)

- 10 In Schedule 2 to the Immigration Act 1971 (control on entry: administrative provisions), in paragraphs 23(3) and 31(4), for the words from “purposes” to “being” there shall be substituted “ purposes of the Justices of the Peace Act 1997 and, in particular, section 60 of that Act, as being ”.

The Local Government Act 1972 (c. 70)

F911

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Textual Amendments

F9 Sch. 5 para. 11 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(5)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Criminal Justice Act 1972 (c. 71)

- 12 In section 51 of the Criminal Justice Act 1972 (execution of process between England and Wales and Scotland), in subsection (4), for the words from “by virtue” to “it has” there shall be substituted “ by virtue of section 45(1) of the Justices of the Peace Act 1997, as it has ”.

The Administration of Justice Act 1973 (c. 15)

- 13 (1) The Administration of Justice Act 1973 shall be amended as follows.
- (2) For section 5 there shall be substituted—

“5 Consequential.

Paragraph 7 of Schedule 1 to this Act shall have effect; and the enactments specified in paragraph 10 of that Schedule shall have effect subject to the amendments specified in that paragraph.”

^{F10}(3)

- (4) In Schedule 1 (consequential provisions), in paragraph 7, for “section 10(2)(a) to (c) of the Justices of the Peace Act 1979” there shall be substituted “ section 9(2)(a) to (c) of the Justices of the Peace Act 1997 ”.

Textual Amendments

F10 Sch. 5 para. 13(3) repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 para. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

The Matrimonial Causes Act 1973 (c. 18)

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^{F11}14

Textual Amendments

F11 Sch. 5 para. 14 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

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The Powers of Criminal Courts Act 1973 (c. 62)

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F12¹⁵

Textual Amendments

F12 Sch. 5 para. 15 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

The Solicitors Act 1974 (c. 47)

- 16 In section 38 of the Solicitors Act 1974 (solicitor who is a justice of the peace not to act in certain proceedings)—
- (a) in subsection (3), for “section 8 of the Justices of the Peace Act 1979” there shall be substituted “section 7 of the Justices of the Peace Act 1997”,^{F13} ...
- F13(b)

Textual Amendments

F13 Sch. 5 para. 16(b) and the word “and” immediately preceding it repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The House of Commons Disqualification Act 1975 (c. 24)

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F14¹⁷

Textual Amendments

F14 Sch. 5 para. 17 repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

The Domestic Proceedings and Magistrates’ Courts Act 1978 (c. 22)

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F15¹⁸

Textual Amendments

F15 Sch. 5 para. 18 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

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The Magistrates’ Courts Act 1980 (c. 43)

- 19 (1) The Magistrates’ Courts Act 1980 shall be amended as follows.
- (2) In each of the provisions of that Act specified in sub-paragraph (3) below, for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.
- (3) The provisions mentioned in sub-paragraph (2) above are—
 - ^{F16}(a)
 - ^{F16}(b)
 - (c) in section 87 (enforcement of payment of fines by High Court and county court), subsection (4); and
 - (d) in section 87A (fines imposed on companies), subsection (2).
- (4) In section 139 (disposal of sums adjudged to be paid by conviction), in paragraph (c), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.
- ^{F16}(5)

Textual Amendments
F16 Sch. 5 para. 19(3)(a)(b)(5) repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Child Abduction Act 1984 (c. 37)

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^{F17}20

Textual Amendments
F17 Sch. 5 para. 20 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Prosecution of Offences Act 1985 (c. 23)

- 21 In section 20 of the Prosecution of Offences Act 1985 (regulations), in subsection (5), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.

The Local Government Act 1985 (c. 51)

- 22 (1) The Local Government Act 1985 shall be amended as follows.

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- (2) In section 99 (disqualification of justices), for “Section 64 of the Justices of the Peace Act 1979” there shall be substituted “ Section 66 of the Justices of the Peace Act 1997 ”.
- (3) In Schedule 13 (residuary bodies), in paragraph 13, for paragraph (i) there shall be substituted—
- “(i) section 66 of the Justices of the Peace Act 1997;”.

The Criminal Justice Act 1988 (c. 33)

- 23 In section 81 of the Criminal Justice Act 1988 (confiscation orders: application of proceeds of realisation etc.)—
- (a) in subsections (8) and (9)(d), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”; ^{F18} . . .
- ^{F18}(b)

Textual Amendments

F18 Sch. 5 para. 23(b) and the word “and” immediately preceding it repealed (27.9.1999) by 1999 c. 22, s. 106, Sch. 15 Pt. V(7) (with Sch. 14 para. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(ii)(c)

The Legal Aid Act 1988 (c. 34)

- 24 In Schedule 3 to the Legal Aid Act 1988 (criminal proceedings: enforcement of contribution orders), in paragraph 4—
- (a) in sub-paragraph (1), for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”; and
- (b) in sub-paragraph (2), for “section 61(4) of the Justices of the Peace Act 1979” there shall be substituted “ section 60(4) of the Justices of the Peace Act 1997 ”.

The Road Traffic Offenders Act 1988 (c. 53)

- 25 In section 82 of the Road Traffic Offenders Act 1988 (accounting for fixed penalties)—
- (a) in subsection (1), for “section 61 (application of fines and fees) of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 (application of fines and fees) ”;
- (b) in subsection (2)(b), for “section 59 of the Justices of the Peace Act 1979” there shall be substituted “ section 57 of the Justices of the Peace Act 1997 ”; and
- (c) in subsection (2A), for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.

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The Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)

26 In Schedule 4 to the Prevention of Terrorism (Temporary Provisions) Act 1989 (forfeiture orders), in paragraph 1(3), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.

The Children Act 1989 (c. 41)

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F19 27

Textual Amendments
F19 Sch. 5 para. 27 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), Sch. 15 Pt. V(1) (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(iii)

The Computer Misuse Act 1990 (c. 18)

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F20 28

Textual Amendments
F20 Sch. 5 para. 28 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), Sch. 15 Pt. V(1) (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(iii)

The Criminal Justice Act 1991 (c. 53)

- 29 (1) The Criminal Justice Act 1991 shall be amended as follows.
- (2) In section 76 (provision of court security officers), in subsection (6), in the definition of “paying authority”, for “the 1979 Act” there shall be substituted “ the Justices of the Peace Act 1997 ”.
- (3) In section 92 (interpretation of Part IV), in subsection (2), for “the 1979 Act” there shall be substituted “ the Justices of the Peace Act 1997 ”.

The Local Government Finance Act 1992 (c. 14)

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F21 30

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Textual Amendments

F21 Sch. 5 para. 30 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Local Government Act 1992 (c. 19)

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F2231

Textual Amendments

F22 Sch. 5 para. 31 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Tribunals and Inquiries Act 1992 (c. 53)

32 In Part I of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals), in paragraph 23, for “section 53(3) of the Justices of the Peace Act 1979 (c. 55)” there shall be substituted “ section 54(6) of the Justices of the Peace Act 1997 (c. 25) ”.

The Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

33 In section 27 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (interpretation of Part I), in subsection (1), in the definition of “petty sessions area”, for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.

The Probation Service Act 1993 (c. 47)

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F2334

Textual Amendments

F23 Sch. 5 para. 34 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

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The Local Government (Wales) Act 1994 (c. 19)

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F2435

Textual Amendments

F24 Sch. 5 para. 35 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), Sch. 15 Pt. V(1) (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(iii)

The Drug Trafficking Act 1994 (c. 37)

36 In section 30 of the Drug Trafficking Act 1994 (confiscation orders: application of proceeds etc.)—

(a) in subsection (8), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”; . . .

F25(b)

Textual Amendments

F25 Sch. 5 para. 36(b) and the word “and” immediately preceding it repealed (27.9.1999) by 1999 c. 22, s. 106, Sch. 15 Pt. V(7) (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(ii)(c)

The Police Act 1996 (c. 16)

37 (1) The Police Act 1996 shall be amended as follows.

(2) In section 5 (reductions in size of police authorities), in subsection (2)(c), for “section 21(1A) of the Justices of the Peace Act 1979” there shall be substituted “ section 29(2) of the Justices of the Peace Act 1997 ”.

(3) In Schedule 2 (police authorities)—

(a) in paragraph 7, for “section 21(1A) of the Justices of the Peace Act 1979” there shall be substituted “ section 29(2) of the Justices of the Peace Act 1997 ”; and

(b) in paragraph 27, for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.

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