

Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2012 No.

PUBLIC BODIES, ENGLAND AND WALES

The Public Bodies (Abolition of Courts Boards) Order 2012

Made - - - -

Coming into force in accordance with article 1

The Lord Chancellor makes the following Order in exercise of the powers conferred by sections 1, 6(1) and (5) and 35(2) of the Public Bodies Act 2011(a), having consulted in accordance with section 10 of that Act.

In accordance with section 8 of that Act, the Lord Chancellor considers that this Order—

- (a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1); and
- (b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

A draft of this Order, and an explanatory document containing the information required by section 11(2) of that Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3). In accordance with section 11(4) of that Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation, commencement and extent

- 1.—(1) This Order may be cited as the Public Bodies (Abolition of Courts Boards) Order 2012.
- (2) Subject to paragraph (3), this Order comes into force on the later of 1 April 2012 or the day after the day on which it is made.
- (3) Article 3 comes into force on the day after that on which the other provisions of this Order come into force.
- (4) This Order extends to England and Wales.

Abolition of courts boards

- 2.—(1) Courts boards, established under section 4 of the Courts Act 2003(b), are abolished.

(a) 2011 c.24
(b) 2003 c.39.

(2) The Schedule (which makes consequential provision) has effect.

Repeal of entry in the Public Bodies Act 2011

3. In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), the entry “Courts boards.” is repealed.

Signed by authority of the Lord Chancellor

Address	<i>Name</i>
Date	Parliamentary Under Secretary of State Department

SCHEDULE

Article 2(2)

Amendments consequential on the abolition of courts boards

Freedom of Information Act 2000(a)

1. The Freedom of Information Act 2000 is amended as follows.

2. In Part 6 of Schedule 1 (other public bodies and offices – general), the entry “A courts board established under section 4 of the Courts Act 2003.” is repealed.

Courts Act 2003(b)

3. The Courts Act 2003 is amended as follows.

4. Section 4 (establishment of courts boards) is repealed.

5. Section 5 (functions of courts boards) is repealed.

6. In section 8 (local justice areas), subsection (6)(b) is repealed.

7. Schedule 1 (constitution and procedure of courts boards) is repealed.

Constitutional Reform Act 2005(c)

8. The Constitutional Reform Act 2005 is amended as follows.

9. In Part 1 of Schedule 4 (other functions of the Lord Chancellor and organisation of the courts), paragraphs 310, 311 and 350 are repealed.

Courts Boards Areas Order 2004(d)

10. The Courts Boards Areas Order 2004 is revoked.

(a) 2000 c.36. The entry for courts boards was inserted into Part 6 of Schedule 1 by the Freedom of Information (Additional Public Authorities) Order 2005 (SI 2005/3593).

(b) Section 4 was amended by the Constitutional Reform Act 2005 (c.4) to insert subsections (5A) and (7A). Section 5 was amended by the Constitutional Reform Act 2005 which made amendments to subsections (5) and (7) and inserted subsection (9). There have been amendments to section 8 which are not relevant to this Order. Schedule 1 was amended by the Constitutional Reform Act 2005 which amended paragraphs 1 and 8 and inserted paragraph 9.

(c) 2005 c.4. There have been amendments to Part 1 of Schedule 4 which are not relevant to this Order.

(d) S.I 2004/1192. The Schedule was substituted by the Courts Boards Areas (Amendment) Order 2007 (S.I 2007/1022).

Courts Boards (Appointments and Procedure) Regulations 2004(a)

11. The Courts Boards (Appointments and Procedure) Regulations 2004 are revoked.

Freedom of Information (Additional Public Authorities) Order 2005(b)

12. The Freedom of Information (Additional Public Authorities) Order 2005 is amended as follows.

13. In Schedule 1 (entries inserted in Part 6 of Schedule 1 to the Act with effect from 7 February 2006), the entry “A courts board established under section 4 of the Courts Act 2003.” is revoked.

Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006(c)

14. The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006 is amended as follows.

15. In Schedule 2 (transfer and modification of functions of the Lord Chancellor – secondary legislation), paragraphs 4 to 7 are revoked.

Courts Boards Areas (Amendment) Order 2007(d)

16. The Courts Boards Areas (Amendment) Order 2007 is revoked.

Justices of the Peace (Training and Development Committee) Rules 2007(e)

17. The Justices of the Peace (Training and Development Committee) Rules 2007 are amended as follows.

18. In rule 2 (interpretation) omit the entry for “courts board area”.

19. In rule 42(1) (formation of a Magistrates’ Area Training Committee), for “courts board area in existence on 1st January 2006” substitute “area listed in Schedule 3 to these Rules”

20. After Schedule 2, insert—

“SCHEDULE 3

Rule 42

MAGISTRATES’ AREA TRAINING COMMITTEES

<i>MATC Area</i>	<i>Geographical coverage</i>
Avon and Somerset	The county of Somerset and the non-metropolitan districts of Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire
Bedfordshire	The county of Bedfordshire and the non-metropolitan district of Luton
Cambridgeshire	The county of Cambridgeshire and the non-metropolitan district of Peterborough
Cheshire	The county of Cheshire and the non-

(a) S.I 2004/1193. Regulations 8 and 9 were amended, and regulation 13 was inserted, by the Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No.2) Order 2006 (S.I 2006/1016).

(b) S.I 2005/3593.

(c) S.I 2006/1016. There have been amendments to Schedule 1 which are not relevant to this Order.

(d) S.I 2007/1022.

(e) S.I 2007/1609. There has been an amendment to rule 2 which is not relevant to this Order.

	metropolitan districts of Halton and Warrington
Cleveland	The non-metropolitan districts of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees
Cumbria	The county of Cumbria
Derbyshire	The county of Derbyshire and the non-metropolitan district of Derby
Devon and Cornwall	The counties of Devon and Cornwall, the non-metropolitan districts of Plymouth and Torbay and the Isles of Scilly
Dorset	The county of Dorset and the non-metropolitan districts of Bournemouth and Poole
Durham	The county of Durham and the non-metropolitan district of Darlington
Dyfed Powys	The counties of Ceredigion, Carmarthenshire, Pembrokeshire and Powys
Essex	The county of Essex and the non-metropolitan districts of Southend-on-Sea and Thurrock
Gloucestershire	The county of Gloucestershire
Greater Manchester	The metropolitan districts of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan
Hampshire and Isle of Wight	The counties of Hampshire and Isle of Wight and the non-metropolitan districts of Portsmouth and Southampton
Hertfordshire	The county of Hertfordshire
Humberside	The non-metropolitan districts of the East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire and North Lincolnshire
Kent	The county of Kent and the non-metropolitan district of Medway
Lancashire	The county of Lancashire and the non-metropolitan districts of Blackburn with Darwen and Blackpool
Leicestershire and Rutland	The county of Leicestershire and the non-metropolitan districts of Leicester and Rutland
Lincolnshire	The county of Lincolnshire
London	Greater London
Merseyside	The metropolitan districts of Knowsley, Liverpool, St. Helens, Sefton and Wirral
Norfolk	The county of Norfolk
Northamptonshire	The county of Northamptonshire
Northumbria	The county of Northumberland and the metropolitan districts of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland
North Wales	The counties of the Isle of Anglesey, Gwynedd, Denbighshire and Flintshire and the county boroughs of Conwy and Wrexham

North Yorkshire	The county of North Yorkshire and the non-metropolitan district of York
Nottinghamshire	The county of Nottinghamshire and the non-metropolitan district of Nottingham
South East Wales	The counties of Cardiff, Monmouthshire and Swansea, the county boroughs of Blaenau Gwent, Bridgend, Caerphilly, Merthyr Tydfil, Neath Port Talbot, Newport, Rhondda Cynon Taff, Torfaen and the Vale of Glamorgan
South Yorkshire	The metropolitan districts of Barnsley, Doncaster, Rotherham and Sheffield
Staffordshire	The county of Staffordshire and the non-metropolitan district of Stoke-on-Trent
Suffolk	The county of Suffolk
Surrey	The county of Surrey
Sussex	The counties of East Sussex and West Sussex and the non-metropolitan district of Brighton and Hove
Thames Valley	The counties of Buckinghamshire and Oxfordshire and the non-metropolitan districts of Bracknell Forest, Milton Keynes, Reading, Slough, West Berkshire, Windsor and Maidenhead and Wokingham
Warwickshire	The county of Warwickshire
West Mercia	The counties of Shropshire and Worcestershire and the non-metropolitan districts of Herefordshire and Telford and The Wrekin
West Midlands	The metropolitan districts of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton
West Yorkshire	The metropolitan districts of Bradford, Calderdale, Kirklees, Leeds and Wakefield
Wiltshire	The county of Wiltshire and the non-metropolitan district of Swindon”

Courts Boards Areas (Amendment) Order 2009(a)

21. The Courts Boards Areas (Amendment) Order 2009 is revoked.

(a) S.I.2009/3184.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abolishes courts boards, which were established by section 4 of the Courts Act 2003.

The Schedule to this Order makes legislative amendments which are consequential on the abolition.

A regulatory impact assessment has not been prepared for this Order as there is no impact on business, civil society or regulatory matters, and costs/benefits to the public sector will not exceed £5 million per annum.

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