



# Local Government Act 1972

## 1972 CHAPTER 70

### PART X

#### JUDICIAL AND RELATED MATTERS

#### 216 Adaptation of law relating to old counties.

- (1) For the purposes of commissions of the peace and the law relating to justices of the peace, magistrates' courts, the *custos rotulorum*, lieutenants, sheriffs and matters connected with any of those matters, new counties shall, without prejudice to section 179(1) above, be substituted for counties of any other description.
- (2) For the purposes of this section and sections <sup>F1</sup> . . . , 218 and 219 below the Isles of Scilly shall be deemed to form part of the county of Cornwall.

#### Textual Amendments

**F1** Section number repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, [Sch. 3](#)

- 217 <sup>F2</sup>(1) . . . . .
- <sup>F3</sup>(4) . . . . .
- <sup>F2</sup>(5) . . . . .
- <sup>F3</sup>(6) . . . . .
- <sup>F4</sup>(7) . . . . .

#### Textual Amendments

**F2** S. 217(1)–(3)(5) repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, [Sch. 3](#)

**F3** S. 217(4)(6) repealed by [Administration of Justice Act 1973 \(c. 15\)](#), s. 20(5), [Sch. 5 Pt. II](#)

*Status: Point in time view as at 01/12/1991.*

*Changes to legislation: Local Government Act 1972, Part X is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**F4** S. 217(7) repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. IV**

**F5** **218** .....

**Textual Amendments**

**F5** S. 218 repealed by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, **Sch. 10 Pt. II**

**219 Sheriffs and under-sheriffs.**

- (1) Sheriffs appointed for a county or Greater London shall be known as high sheriffs, and any reference in any enactment or instrument to a sheriff shall be construed accordingly in relation to sheriffs for a county or Greater London.
- (2) No persons shall be nominated in 1973 in pursuance of section 6(1) of the <sup>M1</sup>Sheriffs Act 1887 as persons fit to serve as high sheriff, but the lord-lieutenant of a new county or Greater London shall, as soon as may be after he has been appointed under section 218(1) above or has been specified in an Order in Council under section 218(4) above, nominate three persons as being fit to serve as high sheriff of that county or Greater London, as the case may be, and they shall be treated as having been nominated under the said section 6(1).
- (3) The rights of Her Majesty in right of the Duchy of Lancaster in relation to the appointment of high sheriffs shall apply throughout the whole of the counties of Greater Manchester, Merseyside and Lancashire; and subsection (2) above shall not apply to those counties or to the county of Cornwall.
- (4) The Lord Chancellor may by order prescribe the area for which each under-sheriff is to act.
- (5) Where the area for which an under-sheriff acts is situated in two or more counties, the duty imposed by section 23 of the <sup>M2</sup>Sheriffs Act 1887 of appointing the under-sheriff for that area shall be discharged by the high sheriff of the county containing the greater part of that area, after consulting any other high sheriff concerned, and if any question arises as to which county contains the greater part of an under-sheriff’s area, it shall be determined by the Lord Chancellor.  
  
References in this subsection to a county include references both to Greater London and to the City (including the Temples).
- (6) An under-sheriff shall as respects the area for which he acts be treated as the high sheriff’s deputy for the purpose of all the high sheriff’s functions, except his functions as returning officer at parliamentary elections.
- (7) No privileges or duties of a sheriff shall be exercisable under section 34 of the <sup>M3</sup>Sheriffs Act 1887 or otherwise by the bailiff of a franchise.
- (8) In this section “Greater London” does not include the City or the Temples.

**Marginal Citations**

**M1** 1887 c. 55.

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**M2** 1887 c. 55.

**M3** 1887 c. 55.

**F6** **220** .....

**Textual Amendments**

**F6** S. 220 repealed by Coroners Act 1988 (c. 13, SIF 33), ss. 33, 36(2), **Sch. 4**

**221 Abolition of borough civil courts.**

- (1) There are hereby abolished the inferior courts of record specified in Schedule 28 to this Act, being courts having a jurisdiction defined, or originally defined, by reference to a city, borough or similar area which, after 1st April 1974, no longer exists in that form as a unit of local government (whether it ceases to do so by virtue of this Act or has ceased to do so at some time before the passing of this Act).
- (2) Her Majesty may by Order in Council make such transitional and consequential provisions as appear to Her expedient in consequence of the abolition of any court by this section.

**Status:**

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