



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART II

CIVIL JURISDICTION AND PROCEDURE

Domestic proceedings

67 Domestic courts and panels

- (1) Magistrates' courts constituted in accordance with the provisions of this section and sitting for the purpose of hearing domestic proceedings shall be known as domestic courts.
- (2) A justice shall not be qualified to sit as a member of a domestic court unless he is a member of a domestic court panel, that is to say a panel of justices specially appointed to deal with domestic proceedings.
- (3) Without prejudice to the generality of the power to make rules under section 144 below relating to the procedure and practice to be followed in magistrates' courts, provision may be made by such rules with respect to any of the following matters, that is to say
 - (a) the formation and revision of domestic court panels and the eligibility of justices to be members of such panels ;
 - (b) the appointment of persons as chairmen of domestic courts; and
 - (c) the composition of domestic courts.
- (4) Any provision made by rules by virtue of subsection (3) above for the formation of domestic court panels shall include provision for the formation of at least one domestic court panel for each commission area, but provision shall not be made by the rules for the formation of more than one domestic court panel for any petty sessions area.

In this subsection " commission area " has the same meaning as in the Justices of the Peace Act 1979.

- (5) Rules made by virtue of subsection (3) above may confer powers on the Lord Chancellor with respect to any of the matters specified in the rules and may, in

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particular, provide for the appointment of domestic court panels by him and for the removal from a domestic court panel of any justice who, in his opinion, is unsuitable to serve on a domestic court.

- (6) Rules made by virtue of subsection (3) above may make different provision in relation to different areas for which domestic court panels are formed ; and in the application of this section to the counties of Greater Manchester, Merseyside and Lancashire for any reference in subsection (5) above to the Lord Chancellor there shall be substituted a reference to the Chancellor of the Duchy of Lancaster.
- (7) A stipendiary magistrate who is a member of a domestic court panel may, notwithstanding anything in section 66(1) above, hear and determine domestic proceedings when sitting alone.
- (8) Nothing in this section shall require the formation of a domestic court panel for the City of London.