



# Local Government Act 1985

## 1985 CHAPTER 51

### PART II

#### TRANSFER OF FUNCTIONS TO LONDON BOROUGH COUNCILS, METROPOLITAN DISTRICT COUNCILS AND OTHER EXISTING AUTHORITIES

##### *Administration of justice*

#### **12 Petty sessions areas, magistrates' courts committees etc.**

- (1) The <sup>M1</sup> Justices of the Peace Act 1979 shall have effect with the following amendments the principal effect of which is—
- (a) to replace, for the purposes of the provisions of that Act relating to petty sessions areas, petty sessional divisions and magistrates' courts committees, the commission areas known as outer London areas by the London boroughs of which they are composed; and
  - (b) to transfer, in respect of those commission areas, the functions of the Greater London Council to the councils of those boroughs.
- (2) In section 4(2) (petty sessions areas) for paragraphs (b) to (d) there shall be substituted—
- “(b) the inner London area if it is not divided into petty sessional divisions;
  - (c) any petty sessional division of the inner London area;
  - (d) any outer London borough which is not divided into petty sessional divisions;
  - (e) any petty sessional division of an outer London borough; and
  - (f) the City of London.”
- (3) In section 12(5)(c) (allowances) for the words “the Greater London Council” there shall be substituted the words “the council of the outer London borough which is or includes the petty sessions area for which the justice acts”.
- (4) In section 19 (magistrates' courts committees)—

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 12. (See end of Document for details)*

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- (a) in subsection (1) for the word “areas” there shall be substituted the word “boroughs”; and
  - (b) in subsection (2)(c) for the words “each of the outer London areas” there shall be substituted the words “every outer London borough”.
- (5) In section 20 (constitution of committees)—
- (a) in subsection (1)—
    - (i) in paragraph (c) for the words from “areas” to “area” there shall be substituted the words “boroughs or for the City of London, be composed of magistrates for the commission area comprising that borough”; and
    - (ii) in paragraph (d) for the words “each London commission area” there shall be substituted the words “the commission area comprising each London borough”; and
  - (b) in subsection (3), before the words “that area”, there shall be inserted the words “any borough in”.
- (6) In section 22(2)(c) (clerks to committees) for the word “areas” there shall be substituted the word “boroughs” and for the words “for that area” there shall be substituted the words “acting for that borough”.
- (7) In section 23 (petty sessional divisions), in subsection (1) for the words “areas” and “area” there shall be substituted respectively the words “boroughs” and “borough”, in subsection (2) for the word “area” there shall be substituted the word “borough”, and in subsection (4) for the word “areas” in both places where it occurs there shall be substituted the word “boroughs”.
- (8) In section 24 (procedure under section 23)—
- (a) in subsection (1)—
    - (i) in paragraph (a) for the words “or metropolitan district” there shall be substituted the words “, metropolitan district or outer London borough”; and
    - (ii) in paragraph (b) after the word “order” there shall be inserted the words “concerning a non-metropolitan county”;
  - (b) in subsection (2) for the words after “non-metropolitan county” there shall be substituted the words “, metropolitan district or outer London borough concerned, to the magistrates for any existing petty sessional division in the area and, if a non-metropolitan county is concerned, to every interested authority”;
  - (c) in subsection (5) for the words “county or London commission area” there shall be substituted the words “non-metropolitan county, metropolitan district or outer London borough”; and
  - (d) in subsection (6)(a) for the words after “draft order” there shall be substituted the words “concerning a non-metropolitan county, means the council of any district in the county which is wholly or partly included in the area to which the order or draft order relates; and”.
- (9) In section 57(1) (duties of local authorities) for the words after “outer London” there shall be substituted the words “boroughs as if each such borough were a metropolitan district”.

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- (10) In section 59(6) (grants to local authorities) for the words “or metropolitan district, the Greater London Council” there shall be substituted the words “, metropolitan district or outer London borough”.
- (11) For the definition of “petty sessions area” in section 88(1) of the <sup>M2</sup>Domestic Proceedings and Magistrates’ Courts Act 1978 and section 150(1) of the <sup>M3</sup>Magistrates’ Courts Act 1980 there shall be substituted “‘petty sessions area’ has the same meaning as in the <sup>M4</sup>Justices of the Peace Act 1979;”.

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**Marginal Citations**

**M1** 1979 c. 55.

**M2** 1978 c. 22.

**M3** 1980 c. 43.

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**Changes to legislation:**

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