



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

15 The probation service

- (1) Paragraphs 15(3) and 17(3) of Schedule 3 to the Powers of Criminal Courts Act 1973 (apportionment between local authorities of expenses in respect of the probation service) shall not apply to a probation area which is situated in the areas of two or more local authorities all of which are councils of metropolitan districts or outer London boroughs or any of which is the council of such a district or borough; but in the case of any such area—
 - (a) the sums to be defrayed under paragraph 15(1); and
 - (b) the expenditure referred to in paragraph 17(3),shall be apportioned between those authorities in proportion to the populations of their respective areas; and in paragraph 17(1) the reference to paragraph 15(3) shall include a reference to this subsection.
- (2) For the purposes of subsection (1) above the population of an area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time direct.
- (3) The probation committee for any such area as is mentioned in subsection (1) above shall co-opt one member from among the members of each local authority which is liable to contribute to the expenses of the committee (or such greater number of members as may be specified for any such local authority by an order made by the Secretary of State); and the member or members to be co-opted shall be chosen by the committee after consultation with those authorities in such manner as the Secretary of State may by order prescribe.

Status: This is the original version (as it was originally enacted).

- (4) A probation committee shall not under subsection (3) above co-opt any person who is an employee of that committee ; and the number of members of a probation committee co-opted under that subsection, together with any members co-opted or appointed to the committee under paragraphs 6 and 7 of Schedule 3 to the said Act of 1973, shall not exceed one-third of the number of members of the committee.
- (5) The first persons to become members of a probation committee by virtue of subsection (3) above shall be co-opted by that committee so as to take office on such day before the abolition date as the Secretary of State may by order appoint; and any person who immediately before that day is a member of the committee by virtue of the said paragraph 6 or 7 shall cease to be a member on that day but, subject to subsection (4) above, without prejudice to his being again co-opted or appointed to that committee.
- (6) The provisions made by rules under paragraph 18 of Schedule 3 to the said Act of 1973 in relation to the probation areas to which subsection (1) above applies may be different from those made in relation to other areas.