



Justices of the Peace Act 1997 (repealed)

1997 CHAPTER 25

PART VI

ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

[^{F1}“Magistrates’ courts committees outside Greater London”.]

Textual Amendments

- F1** Heading inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, 15 (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(i) (subject to transitional provisions in Sch. 2 para. 2)

55 Duties of local authorities.

- (1) Subject to the provisions of this Act, the paying authority or authorities in relation to any magistrates’ courts committee [^{F2}for an area outside Greater London] shall provide the petty sessional court-houses and other accommodation, and the goods and services, proper for the performance of the functions of—
- the magistrates for the magistrates’ courts committee area;
 - the magistrates’ courts committee;
 - any other committee of the magistrates for that area; or
 - the justices’ clerks for any part of the magistrates’ courts committee area.
- (2) Subsection (1) above shall not require the paying authority or authorities to provide any current item or class of current items if the magistrates’ courts committee have notified the authority or authorities [^{F3}—.
- to provide any goods or services which regulations made by virtue of section 59E(2) below require the magistrates’ courts committee to obtain otherwise than from that authority or any of those authorities; or
 - that they intend to obtain that item or class of items otherwise than from that authority or any of those authorities

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- (3) For the purposes of subsection (2) above “current item” means any goods or services which are of such a kind that expenditure incurred by a paying authority on providing them would not be capital expenditure.
- (4) Where there is one paying authority in relation to a magistrates’ courts committee [^{F4}for an area outside Greater London], that authority shall pay the expenses of the committee.
- (5) Where there are two or more paying authorities in relation to a magistrates’ courts committee [^{F5}for an area outside Greater London], each of those authorities shall pay a proper proportion of those expenses.
- (6) For the purposes of subsections (4) and (5) above the expenses of a magistrates’ courts committee shall be taken to include—
 - (a) expenses incurred by them in obtaining goods and services which are proper for the purposes mentioned in subsection (1) above but which by virtue of subsection (2) above the paying authority or authorities are not required to provide;
 - (b) the sums payable under Part IV of this Act on account of a person’s salary or expenses as justices’ chief executive or as justices’ clerk for any part of the magistrates’ courts committee area, the remuneration of any staff employed by the committee and the remuneration of any court security officers employed (whether by the committee or a paying authority) under section 76(2)(a) of the ^{M1}Criminal Justice Act 1991 in relation to petty sessions areas within the magistrates’ courts committee area together with—
 - (i) secondary Class I contributions payable in respect of any such person, staff or officers under Part I of the ^{M2}Social Security Contributions and Benefits Act 1992; and
 - (ii) contributions equivalent premiums so payable under Chapter III of Part III of the ^{M3}Pension Schemes Act 1993;
 - (c) the sums payable under any contract entered into (whether by any such magistrates’ courts committee or a paying authority) under section 76(2)(b) of the Criminal Justice Act 1991; and
 - (d) so far as they are not otherwise provided for, all other costs incurred, with the general or special authority of the magistrates’ courts committee, by the justices for the magistrates’ courts committee area.
- (7) Nothing in subsection (1), (4) or (5) above requires any paying authority to incur any expenditure or make any payment which would—
 - (a) cause the net cost to it in any year of the matters mentioned in subsection (1) of section 57 below to exceed the amount which, in relation to that authority and that year, is for the time being determined by the Lord Chancellor under subsection (3)(b) of that section; or
 - (b) cause its capital expenditure in any year in pursuance of functions under this Part of this Act to exceed the amount which, in relation to that authority and that year, is for the time being determined by the Lord Chancellor under subsection (4)(b) of that section;
 and in determining any such net cost as is mentioned in paragraph (a) above there shall be disregarded any such capital expenditure as is mentioned in paragraph (b) above.

^{F6}(8)

Status: Point in time view as at 01/04/2001.

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(9) Two or more paying authorities may arrange for accommodation, goods or services provided for the purposes of this section by one of them to be used also as if provided for those purposes by the other or each of the others.

(10) In this section—

“paying authority” in relation to a magistrates’ courts committee [^{F7}for an area outside Greater London], means any responsible authority whose area comprises all or part of the area to which the committee relates; and

“responsible authority” means any council of—

- (a) a county;
- (b) a county borough;
- (c) a unitary district; or
- (d) ^{F8}

Textual Amendments

- F2** Words in s. 55 inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **16(1)(2)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F3** Words in s. 55 inserted (27.9.1999) by 1999 c. 22, s. **84(3)**, 108(3)(c) (with Sch. 14 para. 7(2))
- F4** Words in s. 55(4)(5) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **16(1)(3)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F5** Words in s. 55(4)(5) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **16(1)(3)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F6** S. 55(8) repealed (1.4.2002) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(6)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 2(c)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F7** Words in s. 55(10) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **16(1)(4)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F8** S. 55(10): para. (d) and words in the definition of "responsible authority" repealed (1.4.2001) by 1999 c. 22, ss. 106, 108(1), **Sch. 15 Pt. V(6)** (with Sch. 14 paras. 7(2)36(9)); S.I. 2001/916, **art. 2(c)(i)** (subject to transitional provisions in Sch. 2 para. 2)

Modifications etc. (not altering text)

- C1** S. 55(9): modified (temp.) (18.11.1998) by S.I. 1998/2664, art. 5, **Sch. para. 6(5)**

Marginal Citations

- M1** 1991 c. 53.
- M2** 1992 c. 4.
- M3** 1993 c. 48.

56 Provisions supplementary to s. 55.

(1) Subject to the provisions of this section—

- (a) the petty sessional court-houses and other accommodation, goods and services to be provided by the paying authority, or each of the paying authorities, under section 55 above;
- (b) the salary to be paid to a justices’ clerk or justices’ chief executive and to staff of a magistrates’ courts committee [^{F9}for an area outside Greater London]; and
- (c) the nature and amount of the expenses which [^{F10}such]a magistrates’ courts committee may incur in the discharge of any functions or may authorise to be incurred,

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shall be such as may from time to time be determined by the magistrates' courts committee after consultation with the paying authority or authorities.

[^{F11}(1A) Subsection (1) above does not apply to the extent that regulations made by virtue of section 59E below have the effect of precluding a determination as to any of the matters mentioned in that subsection.]

(2) Where the expenses of a magistrates' courts committee [^{F12}for an area outside Greater London](including any sums which, by virtue of section 55(6) above, are to be taken to be such expenses) fall to be borne by more than one paying authority, any question as to the manner in which they are to be borne by the authorities concerned shall be determined by agreement between those authorities and the magistrates' courts committee concerned or, in default of such agreement, shall be determined by the Lord Chancellor.

(3) Any paying authority which is aggrieved by a determination of a magistrates' courts committee under subsection (1) above may, within one month from the receipt by the authority of written notice of the determination, appeal to the Lord Chancellor, whose decision shall be binding upon the magistrates' courts committee and any authority concerned.

^{F13}(4)

(5) In this section "paying authority" has the same meaning as in section 55 above.

Textual Amendments

- F9** Words in s. 56(1)(b) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **17(1)(2)(a)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F10** Word in s. 56(1)(c) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **17(1)(2)(b)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F11** S. 56(1A) inserted (27.9.1999) by 1999 c. 22, **ss. 84(4), 108(3)** (with Sch. 14 para. 7(2))
- F12** Words in s. 56(2) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, **17(1)(3)** (with Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(i)** (subject to transitional provisions in Sch. 2 para. 2)
- F13** S. 56(4) repealed (1.3.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(6)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/3344, **art. 3(b)**

Modifications etc. (not altering text)

- C2** S. 56(2): modified (temp.) (18.11.1998) by S.I. 1998/2664, **art. 5, Sch. para. 6(5)**

57 Grants by Lord Chancellor to responsible authorities.

(1) The Lord Chancellor may pay to the responsible authorities grants towards the net cost to them in any year—

- (a) of their functions under this Part of this Act;
- (b) of their functions under any regulations made, or having effect as if made, under section 7 or 24 of the ^{M4}Superannuation Act 1972 with respect to court staff;
- (c) of their functions under any regulations having effect by virtue of paragraph 20(1)(a) or (2) of Schedule 4 to this Act; and
- (d) of making payments under section 10 or 54 above;

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Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

and in determining any such net cost as is mentioned above there shall be disregarded any such capital expenditure as is mentioned in subsection (2) below.

- (2) The Lord Chancellor may also pay to the responsible authorities grants towards their capital expenditure in any year in pursuance of their functions under this Part of this Act.
- (3) The amount of any grant under subsection (1) above towards the net cost to a responsible authority in any year of the matters mentioned in that subsection shall not exceed 80 per cent of whichever of the following is the less—
 - (a) that net cost; and
 - (b) the amount which, in relation to the authority and that year, is for the time being determined by the Lord Chancellor.
- (4) The amount of any grant under subsection (2) above towards the capital expenditure in any year of a responsible authority in pursuance of its functions under this Part of this Act shall not exceed 80 per cent of whichever of the following is the less—
 - (a) that capital expenditure; and
 - (b) the amount which, in relation to the authority and that year, is for the time being determined by the Lord Chancellor.
- [^{M5}(4A) The Lord Chancellor, with the concurrence of the Treasury, may by statutory instrument make regulations providing that any expenditure of responsible authorities in pursuance of their functions under this Part of this Act which is of a description specified in the regulations shall be taken not to be capital expenditure for the purposes of section 55(3) or (7) above or this section.
- (4B) A statutory instrument containing (whether alone or with other provisions) regulations made by virtue of subsection (4A) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- (5) The Lord Chancellor, with the concurrence of the Treasury, may by statutory instrument make regulations as to the manner in which—
 - (a) income and expenditure of responsible authorities are to be taken into account in determining the net cost to them in any year of the matters mentioned in subsection (1) above; or
 - (b) expenditure of such authorities is to be taken into account in determining their capital expenditure in any year in pursuance of their functions under this Part of this Act;and for the purposes of this section any question as to that net cost or that capital expenditure shall (subject to the regulations) be determined by the Lord Chancellor.
- (6) The Lord Chancellor may direct that, in determining—
 - (a) the net cost to a responsible authority in any year of the matters mentioned in subsection (1) above; or
 - (b) the capital expenditure of such an authority in any year in pursuance of its functions under this Part of this Act,there shall be taken into account or disregarded, to such extent as may be specified in the direction, such items as may be so specified.
- (7) Grants under this section shall be paid at such times, in such manner and subject to such conditions as the Lord Chancellor may with the approval of the Treasury determine.
- (8) In this section—

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Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

“court staff” means justices’ chief executives, justices’ clerks and staff of magistrates’ courts committees;

“responsible authority” has the same meaning as in section 55 above.

Modifications etc. (not altering text)

C3 S. 57 modified (28.2.2001) by S.I. 2001/916, art. 4, **Sch. 1 para. 3** (subject to transitional provisions in Sch. 2 para. 2)

Marginal Citations

M4 1972 c. 11.

M5 S. 57(4A)(4B) inserted (27.11.1998) by 1998 c. 65, s.10

58 Local authority land appropriated to magistrates’ courts purposes.

(1) Where on or after 1st April 1995 a responsible authority appropriate any land owned by them to magistrates’ courts purposes, the authority shall be taken for the purposes of section 57(2) above to incur, in the year in which the appropriation is made, capital expenditure in pursuance of their functions under this Part of this Act of an amount equal to the open market value of the land at the time of the appropriation.

(2) In subsection (1) above—

“magistrates’ courts purposes” means the purposes of being provided under section 55(1) above as a petty sessional court-house or other accommodation; and

“responsible authority” has the same meaning as in section 55 above.

59 Regulations as to accounts and audit.

(1) The Lord Chancellor may by regulations made by statutory instrument require magistrates’ courts committees [^{F14}for areas outside Greater London]—

(a) to keep prescribed accounts and prescribed records in relation to those accounts; and

(b) to cause any such accounts to be audited in accordance with the regulations.

(2) In subsection (1) above “prescribed” means prescribed by the regulations; and a statutory instrument containing (whether alone or with other provisions) regulations made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F14 Words in s. 59(1) inserted (1.4.2001) by 1999 c. 22, s. 83(3), Sch. 12 paras. 9, 18 (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(i) (subject to transitional provisions in Sch. 2 para. 2)

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Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

[^{F15} Greater London Magistrates' Courts Authority]

Textual Amendments

F15 Heading inserted (31.8.2000 for specified purposes and otherwise 1.4.2001) by 1999 c. 22, s. 83(2) (with Sch. 14 para. 7(2)); S.I. 2000/1920, art. 3(b); S.I. 2001/916, art. 2(a)(i) (subject to transitional provisions in Sch. 2 para. 2)

[^{F16}59A Functions.

- (1) The Greater London Magistrates' Courts Authority shall provide such petty sessional court-houses and other accommodation, and such goods and services, as they may determine proper for the performance of the Authority's functions and those of—
 - (a) the magistrates for Greater London;
 - (b) any committee of the magistrates for Greater London; and
 - (c) the justices' clerks for any part of Greater London.
- (2) The Authority may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the function in subsection (1) above; but the Authority may not borrow money except insofar as authorised by any other enactment to do so.]

Textual Amendments

F16 S. 59A and sidenote inserted (1.4.2001) by 1999 c. 22, s. 83(2) (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(i) (subject to transitional provisions in Sch. 2 para. 2)

^{F17}59B Funding.

- (1) The Lord Chancellor may pay grants to the Greater London Magistrates' Courts Authority in respect of the Authority's expenditure.
- (2) Grants under this section shall be paid at such times, in such manner and subject to such conditions as the Lord Chancellor may with the concurrence of the Treasury determine.
- (3) Each London local authority shall pay to the Authority such amount in respect of—
 - (a) any kind of the Authority's expenditure in any year; or
 - (b) if less, such amount as may, in relation to that kind of expenditure and that year, be for the time being determined by the Lord Chancellor,as may be determined in accordance with regulations made by the Lord Chancellor by statutory instrument.
- (4) The Lord Chancellor may by regulations made by statutory instrument make provision as to the making of payments under subsection (3) above, including provision—
 - (a) as to whether payments are to be made by instalments or otherwise;
 - (b) as to the time when payments are to be made;
 - (c) conferring a right to interest on anything unpaid; and
 - (d) permitting a London local authority to anticipate a payment under this section when making calculations in accordance with section 32 of the ^{M6}Local Government Finance Act 1992 (originally or by way of substitute).

Status: Point in time view as at 01/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

- (5) The Lord Chancellor may with the consent of the Treasury make provision by regulations made by statutory instrument as to how any kind of the Authority's expenditure is to be determined.
- (6) Subject to any such regulations, the Lord Chancellor may direct that in determining any kind of the Authority's expenditure there shall be taken into account or disregarded, to such extent as may be specified in the direction, such items as may be so specified.
- (7) A statutory instrument containing regulations made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section "London local authority" means the council of any London borough or the Common Council of the City of London.

Textual Amendments

F17 S. 59B inserted (31.8.2000) by 1999 c. 22, s. 83(2) (with Sch. 14 para. 7(2)); S.I. 2000/1920, art. 3(b)

Marginal Citations

M6 1992 c. 14.

^{F18}59C Consultation.

- (1) The Greater London Magistrates' Courts Authority shall consult each London local authority before making any determination under section 59A(1) above or any determination as to—
 - (a) the salary to be paid to a justices' clerk or justices' chief executive and to staff of the Authority; or
 - (b) the nature and amount of the expenses which the Authority may incur in the discharge of their functions or may authorise to be incurred.
- (2) Any London local authority which is aggrieved by such a determination may, within one month from the receipt by the London local authority of written notice of the determination, appeal to the Lord Chancellor, whose decision shall be binding upon the Authority and the London local authority concerned.
- (3) In this section, "London local authority" has the same meaning as in section 59B above.

Textual Amendments

F18 S. 59C inserted (31.8.2000) by 1999 c. 22, s. 83(2) (with Sch. 14 para. 7(2)); S.I. 2000/1920, art. 3(b)

^{F19}59D Accounting.

- (1) The Greater London Magistrates' Courts Authority shall keep a fund to be known as the GLMCA fund.
- (2) All the Authority's receipts shall be paid into the GLMCA fund and all the Authority's expenditure shall be paid out of it.

Status: Point in time view as at 01/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

- (3) The Authority shall—
- (a) keep accounts of payments made into or out of the GLMCA fund; and
 - (b) make arrangements for the proper administration of their financial affairs.
- (4) The Lord Chancellor may by regulations made by statutory instrument make provision applying—
- (a) Part VIII of the ^{M7}Local Government Finance Act 1988 (financial administration); and
 - (b) Part II of the ^{M8}Audit Commission Act 1998 (accounts and audit of public bodies),
- to the Authority, with or without modifications and exceptions.
- (5) A statutory instrument containing regulations made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F19 S. 59D inserted (31.8.2000 as regards s. 59D(4)(5) otherwise 1.4.2001) by 1999 c. 22, s. 83(2) (with Sch. 14 para. 7(2)); S.I. 2000/1920, art. 3(b); S.I. 2001/916, art. 2(a)(i) (subject to transitional provisions in Sch. 2 para. 2)

Marginal Citations

M7 1988 c.41.

M8 1998 c.18.

[^{F20} Provisions applying to all magistrates' courts committees.]

Textual Amendments

F20 Heading inserted (27.9.1999) by 1999 c. 22, ss. 83(2), 108(3)(c) (with Sch. 14 para. 7(2))

[^{F21}59E Standard goods and services.

- (1) The Lord Chancellor may by statutory instrument make regulations requiring every magistrates' courts committee, or every specified magistrates' courts committee, to obtain for the performance of any function referred to in section 55(1) or 59A(1) above—
- (a) specified goods or services; or
 - (b) goods or services of a specified description,
- if he considers that it would be in the interests of the efficient and effective administration of magistrates' courts generally for them to do so.
- (2) Regulations made by virtue of subsection (1) above may include provision requiring magistrates' courts committees to obtain the specified goods or services, or goods or services of the specified description—
- (a) from a specified person or person of a specified description;
 - (b) at or by a specified time; or
 - (c) both from such a person and at or by such a time.

Status: Point in time view as at 01/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

- (3) A statutory instrument containing (whether alone or with other provisions) regulations made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F21 S. 59E inserted (27.9.1999) by 1999 c. 22, ss. 84(2), 108(3)(c) (with Sch. 14 para. 7(2))

60 Application of [F22]receipts of justices’ chief executive]

- (1) Subject to paragraphs (a) and (b) of section 139 of the ^{M9}Magistrates Courts Act 1980 (which relates to the disposal of sums adjudged to be paid by a summary conviction) and to the following provisions of this section, there shall be paid to the Lord Chancellor—
 - (a) all fines imposed by a magistrates’ court and all sums which become payable by virtue of an order of such a court and are by any enactment made applicable as fines so imposed or any class or description of such fines; and
 - (b) all other sums received by a [F23]justices’ chief executive] by reason of his office except—
 - (i) sums to which a person other than the Lord Chancellor is by law entitled and which are paid to that person; ^{F24} . . .
 - (ii)
- (2) The sums payable to the Lord Chancellor by virtue of subsection (1)(a) above do not include—
 - (a) any sums which by or in pursuance of any provision in the enactments relating to those sums are directed to be paid to the Commissioners of Customs and Excise or to any officer of theirs or person appointed by them;
 - (b) any sums which by or in pursuance of any such provision are directed to be paid—
 - (i) to or for the benefit of the party aggrieved, party injured or a person described in similar terms; or
 - (ii) to or for the benefit of the family or relatives of a person described in any such terms or of a person dying in consequence of an act or event which constituted or was the occasion of an offence;
 - (c) any sums which by or in pursuance of any such provision are directed to be applied in making good any default or repairing any damage or paying or reimbursing any expenses (other than those of the prosecution); or
 - (d) any sums which are directed to be paid to any person by or in pursuance of any such provision referring in terms to awarding or reimbursing a loss, or to damages, compensation or satisfaction for loss, damage, injury or wrong.
- (3) Paragraph (b) of subsection (1) above does not apply to sums received by a [F25]justices’ chief executive] on account of his salary or expenses as such; and any sum paid to the Lord Chancellor by virtue of that paragraph shall be paid to him subject to its being repaid to any person establishing his title to it.

^{F26}(4)

- (5) For the purposes of this section anything done by the Crown Court on appeal from a magistrates’ court shall be treated as done by the magistrates’ court.

Status: Point in time view as at 01/04/2001.

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- (6) In this section “fine” includes—
- (a) any pecuniary penalty, pecuniary forfeiture or pecuniary compensation payable under a conviction; and
 - (b) any non-pecuniary forfeiture on conviction by, or under any order of, a magistrates’ court so far as the forfeiture is converted into or consists of money.

Textual Amendments

- F22** Words in sidenote to s. 60 substituted (1.4.2001) by 1999 c. 22, s. 91(2)(d) (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(iii) (subject to transitional provisions in Sch. 2 para. 2)
- F23** Words in s. 60(1) substituted (1.4.2001) by 1999 c. 22, s. 91(2)(a) (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(iii) (subject to transitional provisions in Sch. 2 para. 2)
- F24** S. 60(1)(b)(ii) and the preceding “and” repealed (1.4.2001) by 1999 c. 22, ss. 91(2)(a), 106, Sch. 15 Pt. V(7) (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, art. 2(c)(ii) (subject to transitional provisions in Sch. 2 para. 2)
- F25** Words in s. 60(3) substituted (1.4.2001) by 1999 c. 22, s. 91(2)(b) (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(iii) (subject to transitional provisions in Sch. 2 para. 2)
- F26** S. 60(4) repealed and superseded (1.4.2001) by 1999 c. 22, ss. 91(2)(c)(3), 106, Sch. 15 Pt. V(7) (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, art. 2(a)(iii)(c)(ii) (subject to transitional provisions in Sch. 2 para. 2)

Modifications etc. (not altering text)

- C4** S. 60 modified (25.8.2000) by 2000 c. 6, ss. 140(6), 168(1)
S. 60 modified (prosp.) by Proceeds of Crime Act 2002 (c. 29), ss. 55(6), 458(1)(3)

Marginal Citations

- M9** 1980 c. 43.

[^{F27} 60A Regulations about payment, accounting and banking.

The Lord Chancellor, with the concurrence of the Treasury, may by statutory instrument make regulations—

- (a) as to the times at which, and the manner in which, a justices’ chief executive shall pay sums payable by him to the Lord Chancellor or any other person;
- (b) requiring the keeping and production of accounts by justices’ chief executives in respect of sums received by them (apart from any received on account of their salaries or expenses as such) and for the inspection and audit of the accounts required to be kept; and
- (c) requiring justices’ chief executives to use specified banking arrangements or facilities, or banking arrangements or facilities of a specified description, in relation to sums received by them (apart from any received on account of their salaries or expenses as such).]

Textual Amendments

- F27** S. 60A and sidenote inserted (1.4.2001) by 1999 c. 22, s. 91(3) (with Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(iii) (subject to transitional provisions in Sch. 2 para. 2)

Status: Point in time view as at 01/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI. (See end of Document for details)

61 Defaults of justices' clerks etc.

The Lord Chancellor may, if he thinks fit, pay to any person any money due to that person which he has not received because of the default of a justices' clerk [^{F28}, of a justices' chief executive] or of any staff of a magistrates' courts committee.

Textual Amendments

F28 Words in s. 61 inserted (27.9.1999) by 1999 c. 22, s. 88(4) (with Sch. 14 para. 7(2))

Status:

Point in time view as at 01/04/2001.

Changes to legislation:

There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Part VI.