



# Justices of the Peace Act 1997 (repealed)

## 1997 CHAPTER 25

### PART VI

#### ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

*[<sup>F1</sup> Greater London Magistrates' Courts Authority]*

#### Textual Amendments

- F1** 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)

#### **[<sup>F2</sup>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

- F2** 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)

*Status: Point in time view as at 01/04/2001.*

*Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed), Cross Heading: Greater London Magistrates' Courts Authority. (See end of Document for details)*

### **F<sup>3</sup>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 <sup>M1</sup>Local Government Finance Act 1992 (originally or by way of substitute).
- (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**

**F3** 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**

**M1** 1992 c. 14.

### **F<sup>4</sup>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—

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- (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

**F4** 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)

#### <sup>F5</sup>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.
- (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 <sup>M2</sup>Local Government Finance Act 1988 (financial administration); and
  - (b) Part II of the <sup>M3</sup>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

**F5** 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

**M2** 1988 c.41.  
**M3** 1998 c.18.

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