

Status: Point in time view as at 01/01/2004.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed).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

SCHEDULES

^{F1}SCHEDULE 1

Textual Amendments

- F1** Sch. 1 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

^{F2}SCHEDULE 2

Textual Amendments

- F2** Sch. 2 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. v(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

^{F3}SCHEDULE 3

Textual Amendments

- F3** Sch. 3 repealed (1.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt.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)

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SCHEDULE 4

Section 73(1).

TRANSITIONAL PROVISIONS AND SAVINGS

PART I

GENERAL PROVISIONS

Continuity of the law

- 1 (1) The repeal (or revocation) and re-enactment of provisions by this Act does not affect the continuity of the law.
- (2) Any subordinate legislation made or other thing done, or having effect as if made or done, under or for the purposes of any provision repealed (or revoked) and re-enacted by this Act shall, if in force or effective immediately before the commencement of the corresponding provision of this Act, have effect thereafter as if made or done under or for the purposes of that corresponding provision.
- (3) Any reference (express or implied) in this Act or any other enactment or in any instrument or document—
- (a) to any provision of this Act; or
 - (b) to things done or falling to be done under or for the purposes of any provision of this Act,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision repealed (or revoked) by this Act had effect, a reference—
- (i) to that corresponding provision; or
 - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.
- (4) Any reference (express or implied) in any enactment or in any instrument or document—
- (a) to any provision repealed (or revoked) and re-enacted by this Act; or
 - (b) to things done or falling to be done under or for the purposes of any such provision,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference—
- (i) to that corresponding provision; or
 - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.
- (5) Without prejudice to the generality of sub-paragraph (4) above, where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as the Act conferring the power, the

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power is also exercisable in relation to provisions of this Act which reproduce such enactments.

- (6) Sub-paragraphs (1) to (5) above have effect instead of section 17(2) of the ^{M1}Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

Marginal Citations

M1 1978 c. 30.

General saving for old transitional provisions and savings

- 2 The repeal (or revocation) by this Act of any transitional provision or saving relating to the coming into force of a provision reproduced in this Act does not affect the operation of the transitional provision or saving in so far as it is not specifically reproduced in this Act but remains capable of having effect in relation to the corresponding provision of this Act or otherwise.
- 3 The repeal by this Act of an enactment previously repealed subject to savings does not affect the continued operation of those savings.

Use of existing forms, etc.

- 4 Any reference to an enactment repealed (or revoked) by this Act which is contained in a document made, served or issued on or after the commencement of that repeal (or revocation) shall be construed, except so far as a contrary intention appears, as a reference or, as the context may require, as including a reference to the corresponding provision of this Act.

PART II

PROVISIONS RELATING TO PARTICULAR ENACTMENTS

Interpretation

- 5 In this Part of this Schedule—
- (a) the “1979 Act” means the Justices of the ^{M2}Peace Act 1979;
 - (b) the “1994 Act” means the ^{M3}Police and Magistrates’ Courts Act 1994; and
 - (c) any reference to the commencement of this Act shall be construed in accordance with section 74(1) of this Act.

Marginal Citations

M2 1979 c. 55.

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M3 1994 c. 29.

Petty sessions areas

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F4⁶

Textual Amendments

F4 Sch. 4 para. 6 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

Inner London area

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F5⁷

Textual Amendments

F5 Sch. 4 para. 7 repealed (1.4.2001) 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)

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F6⁸

Textual Amendments

F6 Sch. 4 para. 8 repealed (1.4.2001) 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)

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F7⁹

Textual Amendments

F7 Sch. 4 para. 9 repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

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F8¹⁰

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

Textual Amendments

F8 Sch. 4 para. 10 repealed (1.4.2001) 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)

F⁹11

Textual Amendments

F9 Sch. 4 para. 11 repealed (1.4.2001) 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)

Stipendiary magistrates

F¹⁰12

Textual Amendments

F10 Sch. 4 para. 12 repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

Magistrates' courts committees

13 Any magistrates' courts committee which was set up in accordance with the provisions of Part II of the 1979 Act for any area and is in existence immediately before the commencement of this Act shall after that commencement be treated as having been set up in accordance with the provisions of Part III of this Act as the magistrates' courts committee for that area.

14 Without prejudice to the generality of paragraph 1(2) above, the repeal by this Act of section 69 of the 1994 Act does not affect the continued operation of any order made under that section before the commencement of this Act.

Justices' chief executives

F¹¹15

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

Textual Amendments

F11 Sch. 4 Pt. II para. 15 repealed (27.9.1999) by 1999 c. 22, ss. 106, **Sch. 15 Pt. V(7)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(ii)(c)**

- 16 A person who, immediately before the commencement of this Act, continues to hold office as clerk to a magistrates' courts committee by virtue of Article 6(1) of the ^{M4}Police and Magistrates' Courts Act 1994 (Commencement No. 8 and Transitional Provisions) Order 1995 may continue in that appointment until the magistrates' courts committee have appointed a justices' chief executive in accordance with section 40(1) of this Act.

Marginal Citations

M4 S.I. 1995/685.

- [^{F12}16A Any order made before 1st April 1953 under section 30 of the ^{M5}Criminal Justice Administration Act 1914 or section 1 of the ^{M6}Affiliation Orders Act 1914—
- (a) if it directs payments to be made to any officer of a court of summary jurisdiction, shall have effect as if it directed them to be made to the justices' chief executive who is the collecting officer of that court; and
 - (b) if it directs payments to be made to any person who is not an officer of a court of summary jurisdiction, shall have effect as if it directed them to be made to the justices' chief executive who is the collecting officer of the court making the order.]

Textual Amendments

F12 Sch. 4 Pt. II para. 16A inserted (1.4.2001) by 1999 c. 22, **s. 91(4)** (with Sch. 14 paras. 7(2)); S.I. 2001/916, **art. 2(a)(iii)** (subject to transitional provisions in Sch. 2 para. 2)

Marginal Citations

M5 1914 c.58.

M6 1914 c.6 (4 & 5 Geo.5).

Justices' clerks etc.

- 17 (1) Section 44(1) of this Act shall not have effect in relation to any person appointed by a magistrates' courts committee before 1st April 1995 as justices' clerk for a petty sessions area so long as he—
- (a) continues to hold office as a justices' clerk for that area or for any one or more petty sessions areas including any part of that area; and
 - (b) has not entered into a contract of service on or after that date.

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- (2) Any justices' clerk in relation to whom, by virtue of sub-paragraph (1) above, section 44(1) of this Act does not have effect shall hold office during the pleasure of the magistrates' courts committee concerned.
- (3) Any such justices' clerk shall be paid a salary for his personal remuneration, and the salary shall be taken to be remuneration for all business which he may by reason of his office as justices' clerk be called upon to perform, other than any duties as secretary to a licensing planning committee under Part VII of the ^{M7}Licensing Act 1964.
- (4) Any such justices' clerk may be paid a single salary in respect of two or more clerkships.
- (5) Any such justices' clerk shall, in addition to his salary, be paid the amount of any expenses of a description specified when his salary is determined, being expenses incurred by him with the general or special authority of the magistrates' courts committee.

Marginal Citations

M7 1964 c. 26.

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F13 18

Textual Amendments

F13 Sch. 4 para. 18 repealed (1.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(7)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 2(e)(ii)** (subject to transitional provisions in Sch. 2 para. 2)

- 19 So far as, immediately before the commencement of this Act—
- (a) section 23(7) of the Justices of the ^{M8}Peace Act 1949 (terms and conditions of employment of persons transferred to magistrates' courts committee on 1st April 1953); or
 - (b) paragraph 15 of Schedule 3 to the Justices of the ^{M9}Peace Act 1968 (terms and conditions of employment of persons transferred to certain magistrates' courts committees on 10th November 1969),
- has effect in relation to any person by virtue of paragraph 11 or 12 of Schedule 1 to the 1979 Act, it shall continue to have effect in relation to him.

Marginal Citations

M8 1949 c. 101.

M9 1968 c. 69.

- 20 (1) Any regulations made under—

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- (a) section 42 of the Justices of the Peace Act 1949 (compensation in connection with Parts II and III of that Act); or
- (b) paragraph 16 of Schedule 3 to the Justices of the Peace Act 1968 (compensation in connection with section 1 of that Act),

which are in force immediately before the commencement of this Act by virtue of paragraph 13 of Schedule 1 to the 1979 Act shall continue to have effect and may be revoked or varied notwithstanding the repeal by the 1979 Act of the provisions under which they were made.

- (2) The reference in sub-paragraph (1)(a) above to section 42 of the Justices of the Peace Act 1949 includes a reference to that section as extended by section 32 of the ^{M10}Administration of Justice Act 1964 (extension for persons not qualified at date of enactment of the Justices of the Peace Act 1949).
- (3) The functions of a responsible authority mentioned in paragraphs (b) and (c) of section 57(1) of this Act do not include their functions in respect of decisions made by a determining authority before 3rd February 1995 under the Justices of the ^{M11}Peace Act 1949 (Compensation) Regulations 1978.

Marginal Citations

M10 1964 c. 42.

M11 S.I. 1978/1682.

Immunity and indemnification of justices and justices' clerks

- 21 Subject to paragraphs 22 and 23 below, the provisions of Part V of this Act shall have effect in relation to anything done, or omitted, before the commencement of this Act as they would have effect in relation to any corresponding thing done, or omitted, after the commencement of this Act.
- 22 The repeal by this Act of the 1979 Act is subject to paragraph 16(1) of Schedule 19 to the ^{M12}Courts and Legal Services Act 1990 (1979 Act to continue to apply in relation to matters arising before 1st January 1991 as if section 108 of that Act of 1990 (liability of magistrates for damages and costs) had not been enacted).

Marginal Citations

M12 1990 c. 41.

- 23 In section 54(2) of this Act—
 - (a) paragraph (a) shall have effect only in relation to things done or omitted on or after 1st October 1996; and
 - (b) in relation to things done or omitted before that date, paragraph (b) shall have effect with the omission of the word “other”.

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Pensions Act 1995

- 24 (1) If before the commencement of this Act paragraph 8 of Schedule 5 to the ^{M13}Pensions Act 1995 has not come into force then, until the relevant commencement date, section 55(6)(b)(ii) of this Act shall have effect with the substitution, for the words “contributions equivalent premiums”, of the words “state scheme premiums”.
- (2) In sub-paragraph (1) above, “relevant commencement date” means—
- (a) if before the commencement of this Act the Secretary of State has made an order under section 180 of the ^{M14}Pensions Act 1995 (commencement) appointing a date on or after the date of that commencement as the date on which paragraph 8 of Schedule 5 to that Act is to come into force, the date so appointed; and
- (b) otherwise, such date as the Secretary of State may by order appoint.
- (3) Sections 174 (orders and regulations) and 180(4) of the Pensions Act 1995 shall apply to an order under sub-paragraph (2)(b) above as they would apply to an order under section 180(1) of that Act.

Marginal Citations

M13 1995 c. 26.

M14 1995 c. 26.

Enactments passed before 18th April 1973

- 25 (1) This paragraph applies where, immediately before the commencement of this Act, any enactment passed or instrument made before the 18th April 1973 has effect by virtue of section 71(3) of the 1979 Act (modifications of certain enactments and instruments) as if it referred to—
- (a) a person being appointed or removed from office as a justice of the peace in accordance with section 6 of the 1979 Act; or
- (b) the supplemental list for England and Wales kept under section 8 of the 1979 Act.
- (2) After the commencement of this Act the enactment or instrument shall have effect as if—
- (a) any reference to a person appointed justice by a commission of the peace or to a person being removed from a commission of the peace were a reference to his being appointed or removed from office as a justice of the peace in accordance with section 5 of this Act; and
- (b) any reference to a supplemental list kept by virtue of section 4 of the Justices of the ^{M15}Peace Act 1949 in connection with the commission of the peace for any area were a reference to the supplemental list for England and Wales kept under section 7 of this Act.

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Marginal Citations

M15 1949 c.101.

Justices of the Peace Act 1949, Schedule 2

- 26 (1) This paragraph applies where, immediately before the commencement of this Act, any reference in Schedule 1 to the 1979 Act to any enactment under which a person held or was treated as holding any office or employment is to be construed by virtue of paragraph 15 of that Schedule as including a reference to any provision of Schedule 2 to the Justices of the Peace Act 1949.
- (2) Any reference in this Schedule which corresponds to that reference in Schedule 1 to the 1979 Act shall be construed as including a reference to that provision of Schedule 2 to the Justices of the Peace Act 1949.

Saving for superannuation provisions

- 27 (1) Nothing in this Act shall affect any pension rights or other superannuation benefits or the person by whom or the manner in which any pension or other superannuation benefit is to be paid or borne.
- (2) Sub-paragraph (1) above is subject to sections 55 and 56 of this Act.

Saving for amendment of Local Government Act 1974

- 28 The repeal by this Act of the 1979 Act does not affect the amendment made by paragraph 28 of Schedule 2 to that Act to section 1(6)(a) of the ^{M16}Local Government Act 1974 (rate support grants).

Marginal Citations

M16 1974 c. 7.

Provision made by subordinate legislation

- 29 Any power which, immediately before the commencement of this Act, is exercisable by order to amend or revoke any provision reproduced in this Schedule of an order made under section 94 of the 1994 Act shall be so exercisable in relation to the corresponding provision of this Schedule.

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SCHEDULE 5

Section 73(2).

CONSEQUENTIAL AMENDMENTS

Extent Information

- E1** Any amendment, repeal or revocation contained in Sch. 5, except as mentioned in s. 75(3), has the same extent as the provision it amends, repeals or revokes, see s. 75(2)

The Sheriffs Act 1887 (c. 55)

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F14₁

Textual Amendments

- F14** Sch. 5 para. 1 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)

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F15₂

Textual Amendments

- F15** Sch. 5 para. 2 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Children and Young Persons Act 1933 (c. 12)

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F16₃

Textual Amendments

- F16** Sch. 5 para. 3 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The London Building Acts (Amendment) Act 1939 (c. xcvi)

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F17₄

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Textual Amendments

F17 Sch. 5 para. 4 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The National Assistance Act 1948 (c. 29)

F18₅

Textual Amendments

F18 Sch. 5 para. 5 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Marriage Act 1949 (c. 76)

F19₆

Textual Amendments

F19 Sch. 5 para. 6 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Licensing Act 1964 (c. 26)

F20₇

Textual Amendments

F20 Sch. 5 para. 7 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Administration of Justice Act 1964 (c. 42)

F21₈

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

Textual Amendments

F21 Sch. 5 para. 8 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

9

F22

Textual Amendments

F22 Sch. 5 para. 9 repealed (1.1.2004) by Extradition Act 2003 (c. 41), ss. 220, 221, **Sch. 4**; S.I. 2003/3103, **art. 2** (with arts. 3-5 (as amended by S.I. 2003/3258 and S.I. 2003/3312))

The Immigration Act 1971 (c. 77)

10

In Schedule 2 to the Immigration Act 1971 (control on entry: administrative provisions), in paragraphs 23(3) and 31(4), for the words from “purposes” to “being” there shall be substituted “ purposes of the Justices of the Peace Act 1997 and, in particular, section 60 of that Act, as being ”.

The Local Government Act 1972 (c. 70)

F23₁₁

Textual Amendments

F23 Sch. 5 para. 11 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(5)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Criminal Justice Act 1972 (c. 71)

12

In section 51 of the Criminal Justice Act 1972 (execution of process between England and Wales and Scotland), in subsection (4), for the words from “by virtue” to “it has” there shall be substituted “ by virtue of section 45(1) of the Justices of the Peace Act 1997, as it has ”.

The Administration of Justice Act 1973 (c. 15)

13

(1) The Administration of Justice Act 1973 shall be amended as follows.

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(2) For section 5 there shall be substituted—

“5 Consequential.

Paragraph 7 of Schedule 1 to this Act shall have effect; and the enactments specified in paragraph 10 of that Schedule shall have effect subject to the amendments specified in that paragraph.”

^{F24}(3)

(4) In Schedule 1 (consequential provisions), in paragraph 7, for “section 10(2)(a) to (c) of the Justices of the Peace Act 1979” there shall be substituted “ section 9(2)(a) to (c) of the Justices of the Peace Act 1997 ”.

Textual Amendments
F24 Sch. 5 para. 13(3) repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 para. 7(2), 36(9)); S.I. 2000/1920, **art. 3(e)**

The Matrimonial Causes Act 1973 (c. 18)

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^{F25}14

Textual Amendments
F25 Sch. 5 para. 14 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Powers of Criminal Courts Act 1973 (c. 62)

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^{F26}15

Textual Amendments
F26 Sch. 5 para. 15 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

The Solicitors Act 1974 (c. 47)

16 In section 38 of the Solicitors Act 1974 (solicitor who is a justice of the peace not to act in certain proceedings)—

(a) in subsection (3), for “section 8 of the Justices of the Peace Act 1979” there shall be substituted “ section 7 of the Justices of the Peace Act 1997 ”; ^{F27} . . .

^{F27}(b)

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

Textual Amendments

F27 Sch. 5 para. 16(b) and the word “and” immediately preceding it repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The House of Commons Disqualification Act 1975 (c. 24)

F28¹⁷

Textual Amendments

F28 Sch. 5 para. 17 repealed (31.8.2000) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(3)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 2000/1920, **art. 3(c)**

The Domestic Proceedings and Magistrates’ Courts Act 1978 (c. 22)

F29¹⁸

Textual Amendments

F29 Sch. 5 para. 18 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Magistrates’ Courts Act 1980 (c. 43)

- 19 (1) The Magistrates’ Courts Act 1980 shall be amended as follows.
- (2) In each of the provisions of that Act specified in sub-paragraph (3) below, for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.
- (3) The provisions mentioned in sub-paragraph (2) above are—
- F30(a)
 - F30(b)
 - (c) in section 87 (enforcement of payment of fines by High Court and county court), subsection (4); and
 - (d) in section 87A (fines imposed on companies), subsection (2).
- (4) In section 139 (disposal of sums adjudged to be paid by conviction), in paragraph (c), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.

F30(5)

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

Textual Amendments

F30 Sch. 5 para. 19(3)(a)(b)(5) repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Child Abduction Act 1984 (c. 37)

F31 20

Textual Amendments

F31 Sch. 5 para. 20 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Prosecution of Offences Act 1985 (c. 23)

21 In section 20 of the Prosecution of Offences Act 1985 (regulations), in subsection (5), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.

The Local Government Act 1985 (c. 51)

- 22 (1) The Local Government Act 1985 shall be amended as follows.
- (2) In section 99 (disqualification of justices), for “Section 64 of the Justices of the Peace Act 1979” there shall be substituted “ Section 66 of the Justices of the Peace Act 1997 ”.
- (3) In Schedule 13 (residuary bodies), in paragraph 13, for paragraph (i) there shall be substituted—
- “(i) section 66 of the Justices of the Peace Act 1997;”.

The Criminal Justice Act 1988 (c. 33)

23

F32

Textual Amendments

F32 Sch. 5 para. 23 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 457, 458(1), **Sch. 12**; S.I. 2003/333, **art. 2(1)**, Sch. (with arts. 3-13 (as amended by S.I. 2003/531))

Status: Point in time view as at 01/01/2004.

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

The Legal Aid Act 1988 (c. 34)

24 In Schedule 3 to the Legal Aid Act 1988 (criminal proceedings: enforcement of contribution orders), in paragraph 4—

- (a) in sub-paragraph (1), for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”; and
- (b) in sub-paragraph (2), for “section 61(4) of the Justices of the Peace Act 1979” there shall be substituted “ section 60(4) of the Justices of the Peace Act 1997 ”.

The Road Traffic Offenders Act 1988 (c. 53)

25 In section 82 of the Road Traffic Offenders Act 1988 (accounting for fixed penalties)—

- (a) in subsection (1), for “section 61 (application of fines and fees) of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 (application of fines and fees) ”;
- (b) in subsection (2)(b), for “section 59 of the Justices of the Peace Act 1979” there shall be substituted “ section 57 of the Justices of the Peace Act 1997 ”; and
- (c) in subsection (2A), for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.

The Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)

26 In Schedule 4 to the Prevention of Terrorism (Temporary Provisions) Act 1989 (forfeiture orders), in paragraph 1(3), for “section 61 of the Justices of the Peace Act 1979” there shall be substituted “ section 60 of the Justices of the Peace Act 1997 ”.

The Children Act 1989 (c. 41)

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F33²⁷

Textual Amendments

F33 Sch. 5 para. 27 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), Sch. 15 Pt. V(1) (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, art. 2(d)(iii)

The Computer Misuse Act 1990 (c. 18)

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F34²⁸

Status: Point in time view as at 01/01/2004.

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

Textual Amendments

F34 Sch. 5 para. 28 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Criminal Justice Act 1991 (c. 53)

- 29 (1) The Criminal Justice Act 1991 shall be amended as follows.
- (2) In section 76 (provision of court security officers), in subsection (6), in the definition of “paying authority”, for “the 1979 Act” there shall be substituted “ the Justices of the Peace Act 1997 ”.
- (3) In section 92 (interpretation of Part IV), in subsection (2), for “the 1979 Act” there shall be substituted “ the Justices of the Peace Act 1997 ”.

The Local Government Finance Act 1992 (c. 14)

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 F35 30

Textual Amendments

F35 Sch. 5 para. 30 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Local Government Act 1992 (c. 19)

.....
 F36 31

Textual Amendments

F36 Sch. 5 para. 31 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Tribunals and Inquiries Act 1992 (c. 53)

- 32 In Part I of Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under direct supervision of Council on Tribunals), in paragraph 23, for “section 53(3) of the Justices of the Peace Act 1979 (c. 55)” there shall be substituted “ section 54(6) of the Justices of the Peace Act 1997 (c. 25) ”.

Status: Point in time view as at 01/01/2004.

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

The Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

- 33 In section 27 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (interpretation of Part I), in subsection (1), in the definition of “petty sessions area”, for “the Justices of the Peace Act 1979” there shall be substituted “ the Justices of the Peace Act 1997 ”.

The Probation Service Act 1993 (c. 47)

.....

F3734

Textual Amendments

- F37** Sch. 5 para. 34 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Local Government (Wales) Act 1994 (c. 19)

.....

F3835

Textual Amendments

- F38** Sch. 5 para. 35 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3)(f), **Sch. 15 Pt. V(1)** (with Sch. 14 paras. 7(2), 36(9)); S.I. 1999/2657, **art. 2(d)(iii)**

The Drug Trafficking Act 1994 (c. 37)

.....

36

F39

Textual Amendments

- F39** Sch. 5 para. 36 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 457, 458(1), **Sch. 12**; S.I. 2003/333, **art. 2, Sch.** (with arts. 3-13 (as amended by S.I. 2003/531))

The Police Act 1996 (c. 16)

- 37 (1) The Police Act 1996 shall be amended as follows.

Status: Point in time view as at 01/01/2004.

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

- (2) In section 5 (reductions in size of police authorities), in subsection (2)(c), for “section 21(1A) of the Justices of the Peace Act 1979” there shall be substituted “section 29(2) of the Justices of the Peace Act 1997”.
- (3) In Schedule 2 (police authorities)—
- (a) in paragraph 7, for “section 21(1A) of the Justices of the Peace Act 1979” there shall be substituted “section 29(2) of the Justices of the Peace Act 1997”; and
 - (b) in paragraph 27, for “the Justices of the Peace Act 1979” there shall be substituted “the Justices of the Peace Act 1997”.

SCHEDULE 6

Section 73(3).

REPEALS AND REVOCATIONS

Extent Information

- E2** Any repeal or revocation contained in Sch. 6, except as mentioned in s. 75(4), has the same extent as the provision it repeals or revokes, see [s. 75\(2\)](#)

Commencement Information

- II** [Sch. 6](#) partly in force: [Sch. 6](#) in force at 19.6.1997 with certain exceptions, see [ss. 73\(1\), 74\(1\)\(b\)](#)

PART I

REPEALS

Chapter	Short title	Extent of repeal
1973 c. 15.	The Administration of Justice Act 1973.	In Schedule 1, paragraph 3.
1979 c. 55.	The Justices of the Peace Act 1979.	The whole Act.
1980 c. 43.	The Magistrates’ Courts Act 1980.	In Schedule 7, paragraphs 55 and 191 to 197.
1982 c. 53.	The Administration of Justice Act 1982.	Section 65.
1985 c. 51.	The Local Government Act 1985.	Section 12. Section 60(6). In Schedule 14, paragraph 57.
1988 c. 4.	The Norfolk and Suffolk Broads Act 1988.	In Schedule 6, paragraph 20.

Status: Point in time view as at 01/01/2004.

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

1988 c. 33.	The Criminal Justice Act 1988.	Section 164. In Schedule 15, paragraph 63.
1988 c. 41.	The Local Government Finance Act 1988.	In Schedule 12, paragraph 2.
1988 c. 50.	The Housing Act 1988.	In Schedule 17, paragraph 27.
1989 c. 41.	The Children Act 1989.	In Schedule 11, paragraph 7.
1989 c. 43.	The Statute Law (Repeals) Act 1989.	In Schedule 2, paragraph 3.
1990 c. 41.	The Courts and Legal Services Act 1990.	Section 108. Section 117. In Schedule 10, paragraphs 44 and 45.
1991 c. 17.	The Maintenance Enforcement Act 1991.	In Schedule 2, paragraph 4.
1991 c. 53.	The Criminal Justice Act 1991.	Section 93(3) and (4). In section 99(1), the definition of “the 1979 Act”. In Schedule 11, paragraph 40(2)(k).
1992 c. 14.	The Local Government Finance Act 1992.	In Schedule 13, paragraph 48.
1993 c. 8.	The Judicial Pensions and Retirement Act 1993.	In Schedule 6, paragraph 19.
1994 c. 19.	The Local Government (Wales) Act 1994.	In Schedule 2, paragraph 10.
1994 c. 29.	The Police and Magistrates’ Courts Act 1994.	Sections 69 to 90 and 91(2) and (3). In Schedule 4, paragraph 54. Schedule 7. In Schedule 8, Part I.
1995 c. 25.	The Environment Act 1995.	In Schedule 10, paragraph 19.
1995 c. 26.	The Pensions Act 1995.	In Schedule 5, paragraph 8.
1996 c. 16.	The Police Act 1996.	In Schedule 7, paragraph 1(2) (o).
1996 c. 25.	The Criminal Procedure and Investigations Act 1996.	Section 70.

*Status: Point in time view as at 01/01/2004.**Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1997 (repealed). (See end of Document for details)*

PART II

REVOCATIONS

Chapter	Short title	Extent of repeal
S.I. 1985/1383.	The Local Government (Magistrates' Courts etc.) Order 1985.	In the Schedule, paragraph 3.
S.I. 1990/531.	The Justices of the Peace Act 1979 (Amendment) Order 1990.	The whole order.
S.I. 1994/2594	The Police and Magistrates' Courts Act 1994 (Commencement No. 3 and Transitional Provisions) Order 1994	The whole order.
S.I. 1995/42.	The Police and Magistrates' Courts Act 1994 (Commencement No. 6 and Transitional Provisions) Order 1995.	The whole order.
S.I. 1995/685.	The Police and Magistrates' Courts Act 1994 (Commencement No. 8 and Transitional Provisions) Order 1995.	The whole order.
S.I. 1996/674.	The Local Government Changes for England (Magistrates' Courts) Regulations 1996.	In the Schedule, paragraphs 1 and 4(2).
S.I. 1996/675.	The Magistrates' Courts (Wales) (Consequences of Local Government Changes) Order 1996.	In the Schedule, paragraph 1.
S.I. 1996/676.	The Commission Areas (Gwent, Mid Glamorgan and South Glamorgan) Order 1996.	The whole order.
S.I. 1996/1924.	The Maximum Number of Stipendiary Magistrates Order 1996.	The whole Order.

Status: Point in time view as at 01/01/2004.

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

TABLE OF DERIVATIONS

Notes:

1 This Table shows the derivation of the provisions of the Act.

2 The following abbreviations are used in the Table:—

Acts of Parliament

1979	= Justices of the Peace Act 1979 (c.55)
1994	= Police and Magistrates' Courts Act 1994 (c.29)

Subordinate legislation

1996/674	= Local Government Changes for England (Magistrates' Courts) Regulations 1996 (S.I. 1996/674)
1996/675	= Magistrates' Courts (Wales) (Consequences of Local Government Changes) Order 1996 (S.I. 1996/675)

3 The functions of the Secretary of State under 1979 were transferred to the Lord Chancellor by the Transfer of Functions (Magistrates' Courts and Family Law) Order 1992 (S.I. 1992/709) Art.2(1)(a).

Provision	Derivation
1(1)	1979 s.1(a), (b), (c); 1996/674 Sch. para.1(1)(c).
(2)(a)	Drafting.
(b)	1979 s.1(aa); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(1); drafting.
(3)	1979 s.1; 1996/674 Sch. para.1(1)(d).
2(1), (2)	1979 s.2(1).
(3) to (5)	1979 s.3.
3	1979 s.5(1).
4(1)(a)	1979 s.4(1)(a), (c), (1A), (2)(b), (d); Local Government Act 1985 (c.51) s.12(2); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(2); 1996/674 Sch. para.1(2).

Status: Point in time view as at 01/01/2004.

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

(b)	1979 s.4(1)(b), (d), (1A), (2)(c), (e); Local Government Act 1985 (c.51) s.12(2); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(2); 1996/674 Sch. para.1(2).
(c)	1979 s.4(2)(f); Local Government Act 1985 (c.51) s.12(2).
(2)	1979 s.4(1), (1A), (2)(b) to (e), Local Government Act 1985 (c.51) s.12(2); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(2); 1996/674 Sch. para.1(2).
5(1)	1979 s.6(1); Administration of Justice Act 1982 (c.53) s.65.
(2)	1979 s.6(2).
6	1979 s.7.
7	1979 s.8.
8(1)(a)	1979 s.9(1).
(b)	1979 s.9(2).
(2)	1979 s.9(2).
9	1979 s.10.
10(1), (2)	1979 s.12(1), (2).
(3)	1979 s.12(3).
(4)	1979 s.12(3).
(5)	1979 s.12(4); Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).
(6)	1979 s.12(5).
(7)(a)	1979 s.12(5)(a).
(b)	1979 s.12(5)(c); Local Government Act 1985 (c.51) s.12(3).
(c)	1979 s.12(5)(e).
(d)	1979 s.12(5)(b), (d), (f); 1994 Sch.8 para.1(2); 1996/674 Sch. para.1(3)(b); 1996/675 Sch. para.1(2).
(8)	1979 s.12(5)(b), (d), (f); 1994 Sch.8 para.1(2); 1996/674 Sch. para.1(3)(b); 1996/675 Sch. para.1(2).
(9)	1979 s.12(5A); 1994 Sch.8 para.1(3); 1996/674 Sch. para.1(3)(c).
(10)	1979 s.12(6).

Status: Point in time view as at 01/01/2004.

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

(11)	1979 s.12(7).
(12)	1979 s.69A; 1994 s.90.
11(1)	1979 s.13(1); Courts and Legal Services Act 1990 (c.41) Sch.10 para.44(1).
(2), (3)	1979 s.13(2), (3).
(4)	1979 s.13(4); Maximum Number of Stipendiary Magistrates Order 1996 (S.I. 1996/1924) Art.2.
(5)	1979 s.13(5).
12(1)	1979 s.14(1A); Judicial Pensions and Retirement Act 1993 (c.8) Sch.6 para.19(2); Judicial Pensions and Retirement Act 1993 (Commencement) Order 1995 (S.I. 1995/631) Art.2.
(2)	1979 s.14(1); Judicial Pensions and Retirement Act 1993 (c.8) Sch.6 para.19(3)(a); Judicial Pensions and Retirement Act 1993 (Commencement) Order 1995 (S.I. 1995/631) Art.2.
(3)	1979 s.14(3); Judicial Pensions and Retirement Act 1993 (c.8) s.26(10), Sch.6 para.19(5).
13(1), (2)	1979 s.15(1), (2).
(3)	1979 s.15(2A); Courts and Legal Services Act 1990 (c.41) s.108(4); drafting.
(4)	1979 s.15(3); Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).
14(1)	1979 s.16(2).
(2)	1979 s.16(3), (4).
(3)	1979 s.16(3).
(4)	1979 s.16(3).
(5)	1979 s.16(5)
(6)	1979 s.16(4).
(7)	1979 s.16(5); Magistrates' Courts Act 1980 (c.43) Sch.7 para.191(b); Children Act 1989 (c.41) Sch.11 para.7(a).
15(1)	1979 s.16(1); Magistrates' Courts Act 1980 (c.43) Sch.7 para.191(a).

Status: Point in time view as at 01/01/2004.

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

(2)	1979 s.16(5); Magistrates' Courts Act 1980 (c.43) Sch.7 para.191(b); Children Act 1989 (c.41) Sch.11 para.7(a).
16(1)	1979 s.31(1).
(2)	1979 s.31(2); Courts and Legal Services Act 1990 (c.41) Sch.10 para.44(2).
(3)	1979 s.31(3).
(4)	1979 s.31(4); drafting.
(5)	1979 s.31(6).
(6)	1979 s.31(7).
17(1)	1979 s.32(1); 1994 Sch.8 para.14.
(2), (3)	1979 s.32(2), (3).
18(1)	1979 s.33(2).
(2)	1979 s.33(1).
(3)(a)	1979 s.33(2).
(b)	1979 s.33(3).
(4)	1979 s.33(3); drafting.
(5)	1979 s.33(3).
(6)	1979 s.33(4).
(7)	Drafting.
19(1)	1979 s.34(1); Courts and Legal Services Act 1990 (c.41) Sch.10 para.44(2).
(2)	1979 s.34(2).
(3)	1979 s.34(2A); Courts and Legal Services Act 1990 (c.41) s.108(5); drafting.
(4)	1979 s.34(3); Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).
20(1)	1979 s.34A(1); 1994 s.81.
(2)	1979 s.34A(1); 1994 s.81.
(3) to (6)	1979 s.34A(2) to (5); 1994 s.81.
21(1), (2)	1979 s.39(1), (2).
(3)	1979 s.39(3).
22(1)	1979 s.17(1); 1994 Sch.8 para.2(2).
(2)	1979 s.17(2); 1994 Sch.8 para.2(3).
(3)	1979 s.17(2A); 1994 Sch.8 para.2(4).

Status: Point in time view as at 01/01/2004.

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

(4)	1979 s.17(3); Children Act 1989 (c.41) Sch.11 para.7(b); Criminal Justice Act 1991 (c.53) s.70.
(5)	1979 s.31(5).
23	1979 s.40.
24(1)	1979 s.18(1).
(2)(a)	1979 s.18(2)(a).
(b)	1979 s.18(2)(b); 1994 Sch.8 para.3(a).
(c) to (e)	1979 s.18(2)(c) to (e); 1994 Sch.8 para.3(b).
(3)	1979 s.18(3).
(4)	1979 s.18(4); Magistrates' Courts Act 1980 (c.43) Sch.7 para.192.
(5)	1979 s.18(5).
25(1), (2)	1979 s.11(1), (2).
(3)	1979 s.43; drafting.
(4)	1979 s.11(3).
26	1979 s.68; drafting.
27(1)	1979 s.19(1); 1994 Sch.8 para.4(2).
(2)	1979 s.19(2); 1994 Sch.8 para.4(3); drafting.
(a)	1979 s.19(2)(a); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(3); 1996/674 Sch. para.1(4).
(b)	1979 s.19(2)(b).
(c)	1979 s.19(2)(c); Local Government Act 1985 (c.51) s.12(4)(b).
(d)	1979 s.19(2)(cc); 1994 s.79(4).
(e)	1979 s.19(2)(d).
(3)	1979 s.19(2)(bb); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(3); 1994 Sch.8 para.4(3); drafting.
28	1979 s.20; 1994 s.70.
29(1)	1979 s.21(1).
(2)	1979 s.21(1A); 1994 s.71(2).
(3), (4)	1979 s.21(2), (2A); 1994 s.71(3).
(5)	1979 s.21(3).
(6)	1979 s.69A; 1994 s.90.

Status: Point in time view as at 01/01/2004.

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

(7)	1979 s.21(4).
30(1), (2)	1979 s.22(1), (1A); 1994 s.72(2).
(3)	1979 s.22(3); 1994 Sch.8 para.5.
(4)	1979 s.22(4); 1994 s.72(4).
(5)	1979 s.22(4A); 1994 s.72(5).
(6) to (8)	1979 s.22(5) to (7).
(9) to (12)	1979 s.22(8) to (11); 1994 s.72(6).
31	1979 s.22A; 1994 s.73.
32(1) to (9)	1994 s.69(1) to (9).
(10)	1994 s.69(10); drafting.
33(1)	1979 s.23(1); 1994 Sch.8 para.6(2).
(2)	1979 s.23(2); 1994 Sch.8 para.6(3).
(3)	1979 s.23(3).
(4)	1979 s.23(4); 1994 Sch.8 para.6(4).
(5)	1979 s.42; 1994 Sch.8 para.17; drafting.
(6)	1979 s.23(5).
34(1)(a)	1979 s.24(1)(a); Local Government Act 1985 (c.51) s.12(8)(a)(i); 1994 Sch.8 para.7(2)(a), (c); 1996/674 Sch. para.1(5)(a); 1996/675 Sch. para.1(3).
(b)	1979 s.24(1)(b); Local Government Act 1985 (c.51) s.12(8)(a)(ii); 1996/675 Sch. para.1(3); drafting.
(2)	1979 s.24(2).
(3)	1979 s.24(2); Local Government Act 1985 (c.51) s.12(8) (b); 1994 Sch.8 para.7(3)(a), (c); 1996/674 Sch. para.1(5)(a); 1996/675 Sch. para.1(3); drafting.
(4)	1979 s.24(3).
(5)(a)	1979 s.24(1)(a), (2); Local Government Act 1985 (c.51) s.12(8); 1994 Sch.8 para.7(2), (3); 1996/674 Sch. para.1(5)(a); 1996/675 Sch. para.1(3).
(b)	1979 s.24(6)(a); Local Government Act 1985 (c.51) s.12(8)(d); 1996/674 Sch. para.1(5)(b).
(c)	1979 s.70 (“prescribed”)
(d)	1979 s.24(6)(b).

Status: Point in time view as at 01/01/2004.

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

35(1), (2)	1979 s.24A(1), (2); Criminal Justice Act 1988 (c.33) s.164(2).
(3)	1979 s.24A(2A); 1994 Sch.8 para.8(3).
(4)	1979 s.24A(3); Criminal Justice Act 1988 (c.33) s.164(2).
36(1)(a)	1979 s.24B(1)(a); Criminal Justice Act 1988 (c.33) s.164(2); 1994 Sch.8 para.9; 1996/674 Sch. para.1(6)(a); 1996/675 Sch. para.1(4).
(b)	1979 s.24B(1)(b); Criminal Justice Act 1988 (c.33) s.164(2); drafting.
(2)	1979 s.24B(2); Criminal Justice Act 1988 (c.33) s.164(2).
(3)	1979 s.24B(2); Criminal Justice Act 1988 (c.33) s.164(2); 1994 Sch.8 para.9; 1996/674 Sch. para.1(6)(a); 1996/675 Sch. para.1(4).
(4)	1979 s.24B(3); Criminal Justice Act 1988 (c.33) s.164(2).
(5)(a)	1979 s.24B(1)(a), (2); Criminal Justice Act 1988 (c.33) s.164(2); 1994 Sch.8 para.9; 1996/674 Sch. para.1(6)(a); 1996/675 Sch. para.1(4).
(b)	1979 s.24B(4)(a); Criminal Justice Act 1988 (c.33) s.164(2); 1996/674 Sch. para.1(6)(b).
(c)	1979 s.70 (“prescribed”).
(d)	1979 s.24B(4)(b); Criminal Justice Act 1988 (c.33) s.164(2).
37(1) to (3)	1979 s.24C; 1994 s.74.
(4)	1979 ss.69A, 70 (“prescribed”); 1994 s.90.
38	1994 s.88.
39	1994 s.89.
40(1) to (7)	1979 s.24D(1) to (7); 1994 s.75.
(8)	1979 ss.24D(8), 69A; 1994 ss.75, 90.
41	1979 s.24E; 1994 s.75.
42(1) to (8)	1979 s.25(1) to (8); 1994 s.76.
(9)	1979 ss.25(9), 69A; 1994 ss.76, 90.
43(a)	1979 s.26(1)(a), (3); Courts and Legal Services Act 1990 (c.41) Sch.10 para.45; 1994 Sch.8 para.10(3).

Status: Point in time view as at 01/01/2004.

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

(b)	1979 s.26(1)(b).
44(1)	1979 s.26A(1); 1994 s.77.
(2)	1979 s.27(6); 1994 Sch.8 para.11(3).
(3)	1979 s.27(8); Magistrates' Courts Act 1980 (c.43) Sch.7 para.193; 1994 Sch.8 para.11(4).
45(1)	1979 s.28(1); Magistrates' Courts Act 1980 (c.43) Sch.7 para.194; drafting.
(2)	1979 s.28(1A); Courts and Legal Services Act 1990 (c.41) s.117.
(3)	1979 s.28(2).
(4)	1979 s.28(3).
(5)	1979 s.28(3).
(6)	1979 s.28(3).
(7)(a)	1979 s.28(3).
(b)	1979 s.28(4).
46	1979 s.29(1), (2)(b), (3); Magistrates' Courts Act 1980 (c.43) Sch.7 para.195; Maintenance Enforcement Act 1991 (c.17) Sch.2 para.4.
47(1)	1979 s.30(1), (2); Magistrates' Courts Act 1980 (c.43) Sch.7 para.196.
(2)	1979 s.30(3).
48	1979 s.30A; 1994 s.78.
49	1979 s.34B; 1994 Sch.8 para.15.
50	1994 s.82.
51	1979 s.44; Courts and Legal Services Act 1990 (c.41) s.108(2).
52	1979 s.45; Courts and Legal Services Act 1990 (c.41) s.108(3).
53	1979 s.50.
54(1)	1979 s.53(1), (1A); Criminal Procedure and Investigations Act 1996 (c.25) s.70(1); drafting.
(2)(a)	1979 s.53(1), (1A); Criminal Procedure and Investigations Act 1996 (c.25) s.70(1).
(b)	1979 s.53(1).
(3) to (5)	1979 s.53(2).
(6)	1979 s.53(3); 1994 Sch.8 para.18(2).

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(7)	1979 s.53(3A); 1994 Sch.8 para.18(3).
(8)	1979 s.53(4); 1994 Sch.8 para.18(4).
(9)	1979 s.53(5); 1994 Sch.8 para.18(5).
55(1) to (5)	1979 s.55(1) to (5); 1994 s.83(1).
(6)	1979 s.55(6); 1994 s.83(1); Pensions Act 1995 (c.26) Sch.5 para.8.
(7) to (9)	1979 s.55(7) to (9); 1994 s.83(1).
(10)	1979 s.55(10); 1994 s.83(1); drafting.
56	1979 s.56; 1994 s.83(1).
57(1)	1979 s.59(1); Criminal Justice Act 1991 (c.53) s.93(3); 1994 Sch.8 para.19(2).
(2) to (7)	1979 s.59(2) to (7); Criminal Justice Act 1991 (c.53) s.93(3).
(8)	1979 s.59(8); 1994 Sch.8 para.19(3).
58(1)	1979 s.59A(1); 1994 s.84; Police and Magistrates' Courts Act 1994 (Commencement No. 8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.4(j).
(2)	1979 s.59A(2); 1994 s.84.
59(1)	1979 s.62A(1); 1994 s.85.
(2)	1979 ss.62A(2), 69A; 1994 ss.85, 90.
60(1)	1979 s.61(1); Magistrates' Courts Act 1980 (c.43) Sch.7 para.197; Criminal Justice Act 1988 (c.33) Sch.15 para.63.
(2) to (5)	1979 s.61(2) to (5).
(6)	1979 s.61(7).
61	1979 s.62(1); 1994 Sch.8 para.20.
62	1994 s.86(1) to (5).
63	1994 s.87.
64(1)	1979 s.63(1).
(2)	1979 s.63(4).
(3)	1979 s.63(5); 1994 Sch.8 para.21.
65	1979 s.63A; Statute Law (Repeals) Act 1989 (c.43) Sch.2 para.3.
66(1), (2)	1979 s.64(1), (2).
(3), (4)	1979 s.64(3).
(5), (6)	1979 s.64(4), (5).

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(7)	1979 s.64(2A), (6); Local Government Act 1985 (c.51) Sch.14 para.57(b); Norfolk and Suffolk Broads Act 1988 (c.4) Sch.6 para.20; Housing Act 1988 (c.50) Sch.17 para.27; 1994 Sch.4 para.54; Environment Act 1995 (c.25) Sch.10 para.19; Police Act 1996 (c.16) Sch.7 para.1(1), (2)(o).
67	1979 s.65; Justices of the Peace Act 1979 (Amendment) Order 1990 (S.I. 1990/531) Art.2(2); Local Government Finance Act 1992 (c.14) Sch.13 para.48; drafting.
68(1)	1979 s.66(1).
(2)	1979 s.66(2); drafting.
69	1979 s.67.
70(1)	1979 ss.24A(2A), 41(1); Local Government Finance Act 1988 (c.41) Sch.12 para.2; 1994 Sch.8 para.8(3); drafting.
(2)	1979 s.41(2).
71	1979 s.69; drafting.
72(1)	<p>“capital expenditure”: 1979 s.70 (“capital expenditure”); Criminal Justice Act 1991 (c.53) s.93(4).</p> <p>“commission area”, “justices’ clerk”: 1979 s.70 (“commission area”, “justices’ clerk”).</p> <p>“London commission areas”, “inner London area” and “outer London area”: 1979 s.70 (“London commission areas”, “inner London area” and “outer London areas”).</p> <p>“magistrate”, “magistrates’ courts committee area”: 1979 s.70 (“magistrate”, “magistrates’ courts committee area”); 1994 Sch.8 para.22.</p> <p>“officer”, “petty sessional court-house”, “petty sessions area”: 1979 s.70 (“officer”, “petty sessional court-house”, “petty sessions area”).</p> <p>“preserved county”: 1979 s.70 (“preserved county”); Local Government (Wales) Act 1994 (c.19) Sch.2 para.10(4).</p>

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	“retained county”: 1979 s.70 (“relevant area”); 1996/674 Sch. para.1(7)(a); drafting.
	“stipendiary magistrate”, “the supplemental list”: 1979 s.70 (“stipendiary magistrate”, “the supplemental list”).
	“unitary district”: 1979 s.70 (“unitary district”); 1996/674 Sch. para.1(7)(b).
(2)	Drafting.
73	
74	
75(1) to (4)	
(5)	1979 s.72(3); 1994 s.96(1).
Sch. 1	Commission Areas (Gwent, Mid Glamorgan and South Glamorgan) Order 1996 (S.I. 1996/676) Arts.4, 5.
Sch. 2 Part I	1979 s.2(1)(a).
Part II	1979 s.2(1)(b) to (e).
Sch. 3, 1	1994 Sch.7 para.1; drafting.
2 to 6	1994 Sch.7 para.2 to 6.
Sch. 4, 1 to 5	
6	1979 Sch.1 para.9; drafting.
7(1)	
(2)(a)	
(b)	Police and Magistrates’ Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.6(2)(a).
(c)	
(d)	Police and Magistrates’ Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.6(2)(b), (c).
(e)	Police and Magistrates’ Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.6(2)(c).
(f)	
(3) to (8)	
8, 9	

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10	1994 s.79(2), (3).
11(1), (2)	1994 s.80(2) to (4).
(3)	1994 s.80(5), (6); drafting.
(4)	1994 s.80(7); Police and Magistrates' Courts (Commencement No. 8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.4(f).
12(1), (2)	
(3), (4)	1979 Sch.1 para.8; drafting.
(5)	
13, 14	
15	Police and Magistrates' Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.5(4); drafting.
16	Police and Magistrates' Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.6(1); drafting.
17(1)	1979 s.26A(2); 1994 s.77; Police and Magistrates' Courts Act 1994 (Commencement No.8 and Transitional Provisions) Order 1995 (S.I. 1995/685) Art.4(e).
(2)	1979 s.26A(3); 1994 s.77.
(3) to (5)	1979 s.27(1), (2), (4); 1994 s.91(2).
18	1979 Sch.1 para.14; drafting.
19	1979 Sch.1 para.11, 12; drafting.
20(1), (2)	1979 Sch.1 para.13; drafting.
(3)	Police and Magistrates' Courts Act 1994 (Commencement No.6 and Transitional Provisions) Order 1995 (S.I. 1995/42) Art.3.
21, 22	
23	Criminal Procedure and Investigations Act 1996 (c.25) s.70(2); Criminal Procedure and Investigations Act 1996 (Appointed Day No. 1) Order 1996 (S.I. 1996/2343) Art.2.
24	
25	1979 s.71(3); drafting.
26	1979 Sch.1 para 15; drafting.

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27	1979 Sch.1 para.17; 1994 Sch.8 para.23.
28, 29	
Sch. 5	
Sch. 6	

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