



Access to Justice Act 1999

1999 CHAPTER 22

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Magistrates' courts committees

81 Areas outside Greater London

For section 27 of the Justices of the Peace Act 1997 (general provisions about magistrates' courts committees) substitute—

“Introductory

27 Introduction

Magistrates' courts committees shall have—

- (a) such functions as are conferred or imposed on them by or under this Act or any other enactment; and
- (b) such other functions relating to matters of an administrative character as they may be authorised by the Lord Chancellor to undertake.

Magistrates' courts committees outside Greater London

27A Committees

- (1) England and Wales outside Greater London shall be divided into areas for each of which there shall be a magistrates' courts committee.
- (2) The areas of the committees shall be as specified by the Lord Chancellor by order made by statutory instrument.

Status: This is the original version (as it was originally enacted).

- (3) Each area outside Greater London for which there is a magistrates' courts committee shall—
- (a) consist of the whole of one or more commission areas or be included wholly within a single commission area; and
 - (b) comprise the whole of one or more petty sessions areas.

27B Alteration of committee areas

- (1) A magistrates' courts committee for an area outside Greater London may at any time submit to the Lord Chancellor written proposals for the alteration of their area.
- (2) Before submitting such proposals, the magistrates' courts committee shall consult—
- (a) the magistrates for their area or any other magistrates' courts committee area to which the proposals relate;
 - (b) any other magistrates' courts committee to which the proposals relate; and
 - (c) every relevant authority whose area includes all or any part of any of the magistrates' courts committee areas to which the proposals relate.
- (3) The Lord Chancellor shall not make an order under section 27A(2) above which makes an alteration of any area unless he is satisfied that the making of the order is likely to contribute to an overall increase in the efficiency of the administration of magistrates' courts.
- (4) Before making an order under section 27A(2) above which makes an alteration of any area, other than an order which implements proposals submitted to him under subsection (1) above, the Lord Chancellor shall consult—
- (a) the magistrates for the area;
 - (b) the magistrates' courts committees for the area; and
 - (c) every relevant authority whose area includes all or any part of the magistrates' courts committee area.
- (5) For the purposes of subsection (4) above, an order shall be taken to implement proposals if it implements them without changes or any departures from the proposals do not, in the opinion of the Lord Chancellor, effect important changes in the proposals.
- (6) An order under section 27A(2) above which makes an alteration of any area may contain such consequential and transitional provisions as appear to the Lord Chancellor to be necessary or expedient, including—
- (a) provision for the transfer of property, rights and liabilities;
 - (b) provision for the management or custody of transferred property (whether real or personal); and
 - (c) provision for any magistrates' courts committee coming into existence by virtue of the order to be constituted under section 30 below as a body corporate, and to incur liabilities, before the date on which the functions of any magistrates' courts committee are transferred to it.

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

- (7) The Lord Chancellor may give directions with respect to convening the first meeting of a magistrates' courts committee coming into existence by virtue of an order under section 27A(2) above.
- (8) A statutory instrument containing an order under section 27A(2) above which makes an alteration of any area shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section references to the alteration of a magistrates' courts committee area include (as well as a change in the boundaries of the area)—
 - (a) the combination of the area with another magistrates' courts committee area; and
 - (b) the division of the area between two or more magistrates' courts committee areas.
- (10) In this section “relevant authority” means—
 - (a) a county council;
 - (b) a county borough council; or
 - (c) the council of a unitary district.”