

1988 No. 1698

**JUSTICES OF THE PEACE, ENGLAND AND WALES**

**The Petty Sessions Areas (Divisions and Names)  
Regulations 1988**

*Made* - - - - - *4th October 1988*

*Coming into force* *12th October 1988*

In exercise of the powers conferred on me by subsections (1), (2) and (3) of section 24 of the Justices of the Peace Act 1979(a) and subsections (1), (2) and (3) of section 24B of that Act(b), I hereby make the following Regulations:

1. These Regulations may be cited as the Petty Sessions Areas (Divisions and Names) Regulations 1988 and shall come into force on 12th October 1988.

2. In these Regulations—

“committee” means a magistrates’ courts committee established under section 19 of the Justices of the Peace Act 1979 acting for a non-metropolitan county, a metropolitan district or an outer London borough;

“the Act” means the Justices of the Peace Act 1979;

“the area” means the area to which a draft order or a report under section 23 of the Act, or a draft order under section 24A(b) of the Act, relates.

3. The Petty Sessional Divisions (Review) Regulations 1952(c), and paragraph 4 of the Schedule to the Local Government (Magistrates’ Courts etc) Order 1985(d), are hereby revoked.

4. Any objections by an interested authority to the proposals of a committee sent to the authority in pursuance of section 24(1)(b) or section 24B(1)(b) of the Act shall be made in writing and sent to the clerk to the committee within one month of the date when a copy of the proposals is sent to the authority.

5.—(1) Where a committee submits a draft order or a report to the Secretary of State under section 23 of the Act, or a draft order under section 24A of the Act, it shall cause notice of the submission to be—

(a) sent to the clerk of the non-metropolitan county council or, where the draft order or report is submitted by a committee for a metropolitan district or outer London borough, the clerk to the metropolitan district council or outer London borough council, the clerk to the justices for any existing petty sessional division in the area and, in the case of a draft order, the clerk to any interested authority;

(b) published in at least one newspaper circulating in the area;

(c) posted and kept posted for a month at or near the entrance to every petty sessional court house in the area.

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(a) 1979 c.55. Subsections (1) and (2) of section 24 were amended by section 12 of the Local Government Act 1985 (c.51). For the definition of “prescribed” see section 70.

(b) Sections 24A and 24B were inserted by section 164 of the Criminal Justice Act 1988 (c.33).

(c) S.I. 1952/385, amended by S.I. 1985/1383.

(d) S.I. 1985/1383.

- (2) A notice under the foregoing paragraph shall contain—
- (a) a statement of the effect of the draft order or the report;
  - (b) information as to the places and times at which a copy of the draft order or the report can be inspected;
  - (c) a statement as to the manner in which, and the time within which, any objections for consideration by the Secretary of State are required to be made under regulation 6 of these Regulations.

6. Where a committee submits a draft order or a report to the Secretary of State under section 23 of the Act, or a draft order under section 24A of the Act, any objections thereto shall be made in writing and sent to the Secretary of State, Home Office, Queen Anne's Gate, London SW1H 9AT, by a date which shall be specified in any notice under regulation 5 of these Regulations and which shall not be less than one month from the date when the notice is sent or first published or posted, as the case may be.

7. Any objections to an order which the Secretary of State proposes to make otherwise than in accordance with a draft submitted to him by a committee shall be made in writing and shall be sent to the Secretary of State at the address aforesaid—

- (a) where the objection is made by the committee, the non-metropolitan county council or, where the order relates to a metropolitan district or outer London borough, the metropolitan district council or outer London borough council, the magistrates of an existing petty sessional division in the area or an interested authority, within one month of the date when a copy of the Secretary of State's proposals is sent to the objector;
- (b) in any other case, within one month from the date when notice of the Secretary of State's proposals is first published in a newspaper circulating in the area.

Home Office  
4th October 1988

*Douglas Hurd*  
One of Her Majesty's Principal Secretaries of State

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace the Petty Sessional Divisions (Review) Regulations 1952, and prescribe, in relation to reports and draft orders under section 23 of the Justices of the Peace Act 1979, with respect to the division of a non-metropolitan county, metropolitan district or outer London borough into petty sessional divisions, and in relation to draft orders under section 24A of that Act, with respect to the name of a petty sessions, requirements as to notice and as to the manner in which, and the times within which, objections may be made.

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