
STATUTORY INSTRUMENTS

1996 No. 674

**The Local Government Changes for England
(Magistrates' Courts) Regulations 1996**

1.—(1) These Regulations may be cited as the Local Government Changes for England (Magistrates' Courts) Regulations 1996 and, subject to paragraph (2), shall come into force on 1st April 1996.

(2) These Regulations shall come into force immediately after the coming into force of paragraphs 10 and 11 of Schedule 2 to the Local Government (Wales) Act 1994⁽¹⁾.

2. The enactments listed in the Schedule shall be amended or construed as provided therein.

3.—(1) Every person who immediately before 1st April 1996 holds office as a justice of the peace for an old commission area shall on and after that date hold office as a justice of the peace for the new commission area which includes the petty sessions area for which he acts, and the commissions of the peace for the hold commission areas shall accordingly have effect as commissions of the peace for the new commission areas.

(2) In paragraph (1)—

“old commission area” means an area in England for which there was a commission of the peace immediately before 1st April 1996;

“new commission area” means an area in England for which, in accordance with section 1 of the Justices of the Peace Act 1979⁽²⁾, there should be a commission of the peace on and after 1st April 1996.

4. Where by virtue of an order under section 17 of the Local Government Act 1992 one or more commission areas are created, abolished or altered, regulation 3 shall have effect in relation to that change with the following modifications:

- (a) for every reference to 1st April 1996 there shall be substituted the date on which the order comes into force;
- (b) for the reference to section 1 of the Justices of the Peace Act 1979 there shall be substituted a reference to the order;
- (c) at the end of paragraph (1) there shall be inserted the words “until such time as commissions of the peace for the new commission areas are granted”.

5.—(1) Subject to any order made under section 23 of the Justices of the Peace Act 1979, every petty sessions area which, immediately before 1st April 1996, was a petty sessional division of a non-metropolitan county in England shall continue in existence on and after that date as a petty sessional division of the relevant area corresponding to that county.

(2) Subject to any order made under section 69 of the Police and Magistrates' Courts Act 1994⁽³⁾, every magistrates' courts committee for a non-metropolitan county in England existing immediately

(1) 1994 c. 19: section 1(3) and paragraphs 10 and 11 of Schedule 2 are to come into force on 1st April 1996, see S.I.1995/3198.
(2) 1979 c. 55, as amended by paragraph 10 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19) and paragraph 1 of the Schedule to these Regulations.
(3) 1994 c. 29.

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before 1st April 1996 shall continue in existence on and after that date as the magistrates' courts committee for the relevant area corresponding to that county.

(3) In this regulation "relevant area" has the meaning given by section 70 of the Justices of the Peace Act 1979 as amended by paragraph 1(7)(a) of the Schedule to these Regulations, and a relevant area corresponds to a county if it comprises the area of that county as it existed immediately before 1st April 1995.

Signed by authority of the Secretary of State

5th March 1996

David Curry
Minister of State
Department of the Environment