

SCHEDULE

Article 2

PART I

AMENDMENTS TO ENACTMENTS CONCERNING MAGISTRATES' COURTS

Justices of the Peace Act 1979

1.—(1) In section 1 of the Justices of the Peace Act 1979⁽¹⁾, after the words “Local Government Act 1992” there shall be inserted the words “or section 55 of the Local Government (Wales) Act 1994”.

(2) In section 12 of that Act, the following shall be inserted after subsection (5)(c)—

“(d) in relation to a commission area in Wales—

- (i) the council of the county or county borough which is or includes the petty sessions area for which the justice acts, or
- (ii) where the justice acts for a petty sessions area which is partly included in two or more counties or county boroughs, the councils of those counties and county boroughs.”.

(3) Section 24 of that Act shall be amended by the insertion in subsections (1)(a) and (2) of the words “, county borough in Wales” after the words “unitary district”, and by the insertion in subsections (1)(b), (2) and (6)(a) of the words “in England” after the words “a non-metropolitan county”.

(4) Section 24B of that Act shall be amended by the insertion in subsections (1)(a) and (2) of the words “, county borough in Wales” after the words “unitary district”, and by the insertion in subsections (2) and (4)(a) of the words “in England” after the words “a non-metropolitan county”.

Magistrates' Courts Act 1980

2.—(1) In section 1(8) of the Magistrates' Courts Act 1980⁽²⁾, for the words from “any commission area” to the end there shall be substituted “commission areas”.

(2) In section 2(1) and (3) of that Act—

- (a) the words “in England or a preserved county in Wales” shall be repealed;
- (b) the words “or preserved county (as the case may be)” shall be repealed.

(3) In section 3(4) of that Act, for the words from “any commission area” to the end there shall be substituted “commission areas”.

(4) In section 97(1) of that Act—

- (a) the words “in England or any county in Wales” shall be repealed;
- (b) the words “or county (as the case may be)” shall be repealed.

(5) In section 97(1A) of that Act, the words “or county (as the case may be)” shall be repealed.

(6) In section 116(3) of that Act, the words “in England and counties in Wales” shall be repealed.

(7) In section 150(1) of that Act, the words “, in relation to England,” in the definition of “commission area”, and the definition of “preserved county”, shall be repealed.

(1) 1979 c. 55, as amended by paragraph 10 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19) and S.I.1996/674.

(2) 1980 c. 43, as amended by paragraph 11 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19) and S.I. 1996/674.

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PART II

AMENDMENTS AND MODIFICATIONS TO OTHER ENACTMENTS

Sheriffs Act 1887

3. In section 38 of the Sheriffs Act 1887(**3**), after “any area in England” there shall be inserted “and Wales”.

Licensing Act 1964

4. Sections 85(4), 188(4) and 193(9) of the Licensing Act 1964(**4**) shall be repealed.

Representation of the People Act 1983

5. In the Representation of the People Act 1983(**5**), section 177(2) shall be repealed.

Probation Service Act 1993

6. In paragraph 6(3) of Schedule 1 to the Probation Service Act 1993(**6**), the words “in England, or any county in Wales,” shall be repealed.

Modification of references

- 7.**—(1) In the enactments to which this paragraph applies—
- (a) any reference to a justice of the peace for, of or within a county shall be construed in relation to any area in Wales as a reference to a justice of the peace for a commission area (as defined in section 1 of the Justices of the Peace Act 1979);
 - (b) any reference to county justices shall in relation to any area in Wales be construed as a reference to justices of the peace for a commission area (as so defined), and
 - (c) any reference to a county, without more, shall be construed in relation to any area in Wales as a reference to a commission area (as so defined).
- (2) The enactments to which this paragraph applies are the following—
- (a) section 10 of the Parochial Libraries Act 1708(**7**);
 - (b) section 4 of the Distress for Rent Act 1737(**8**);
 - (c) section 4 of the Inclosure Act 1773(**9**);
 - (d) section 2 of the Burial Ground Act 1816(**10**);
 - (e) section 2 of the Distress (Costs) Act 1817(**11**);
 - (f) section 1 of the Inclosure and Drainage (Rates) Act 1833(**12**);
 - (g) section 1 of the Geological Survey Act 1845(**13**);

(3) 1887 c. 55; section 38 was amended by Schedule 30 to the Local Government Act 1972 (c. 70), S.I. 1995/1748 and S.I. 1996/674.

(4) 1964 c. 26; these subsections were inserted by paragraph 2 of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19).

(5) 1983 c. 2; section 177(2) was inserted by paragraph 12(1) of Schedule 2 to the Local Government (Wales) Act 1994 (c. 19).

(6) 1993 c. 47, as amended by S.I. 1996/674.

(7) 7 Anne c.14.

(8) 11 Geo. 2 c.19.

(9) 13 Geo. 3 c.81.

(10) 56 Geo. 3 c.141.

(11) 57 Geo. 3 c.93.

(12) 3 & 4 Will. 4 c.35.

(13) 8 & 9 Vict. c.63.

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- (h) section 159 of the Inclosure Act 1845(**14**);
- (i) section 18 of the London Hackney Carriage Act 1853(**15**);
- (j) the Second Part of the Schedule to the Promissory Oaths Act 1868(**16**);
- (k) paragraph 8 of Schedule 2 to the Children and Young Persons Act 1933(**17**);
- (l) section 19(1) of the Prison Act 1952(**18**);
- m**) sections 2(2), 85(1), 187(1), 188(1) and 193(1) and (2) of the Licensing Act 1964;
- (n) section 177 of the Representation of the People Act 1983.

PART III

AMENDMENTS TO STATUTORY INSTRUMENTS

Community Charges (Administration and Enforcement) Regulations 1989

8. After regulation 47(1) of the Community Charges (Administration and Enforcement) Regulations 1989(**19**) there shall be inserted the following:—

“(1A) Paragraph (1) shall have effect in its application to charging authorities in Wales as if the words “the whole or any part of” were inserted before “the area”.”.

Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989

9. After regulation 21(1) of the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(**20**) there shall be inserted the following:—

“(1A) Paragraph (1) shall have effect in its application to billing authorities in Wales as if the words “the whole or any part of” were inserted before “the area”.”.

Council Tax (Administration and Enforcement) Regulations 1992

10. After regulation 53(1) of the Council Tax (Administration and Enforcement) Regulations 1992(**21**) there shall be inserted the following:—

“(1A) Paragraph (1) shall have effect in its application to billing authorities in Wales as if the words “the whole or any part of” were inserted before “the area”.”.

(14) 8 & 9 Vict. c.118.

(15) 16 & 17 Vict. c.33.

(16) 31 & 32 Vict. c.72.

(17) 1933 c. 12.

(18) 1952 c. 52, as amended by Schedule 30 to the Local Government Act 1972 (c. 70).

(19) S.I. 1989/438, to which there are amendments not relevant to this Order.

(20) S.I. 1989/1058, as amended by S.I. 1993/616.

(21) S.I. 1992/613.