

2001 No. 444

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice Acts 1987 and 1991 (Notice of Transfer) (Amendment) Regulations 2001

Made - - - - - *13th February 2001*

Laid before Parliament *19th February 2001*

Coming into force - - *1st April 2001*

The Attorney General, in exercise of the powers conferred on him by section 5(9) of the Criminal Justice Act(a) and by section 53(5) of, and paragraph 4 of Schedule 6 to, the Criminal Justice Act 1991(b), hereby makes the following Regulations:

1. These Regulations may be cited as the Criminal Justice Acts 1987 and 1991 (Notice of Transfer) (Amendment) Regulations 2001 and shall come into force on 1st April 2001.

2. In Forms 1 and 3 in the Schedule to the Criminal Justice Act 1987 (Notice of Transfer) Regulations 1988(c) and in Forms 1 and 3 in the Schedule to the Criminal Justice Act 1991 (Notice of Transfer) Regulations 1992(d) for the words “Clerk to the Justices” there shall be substituted the words “Chief Executive to the Justices”.

13th February 2001

Gareth Williams
Her Majesty’s Attorney General

(a) 1987 c. 38; section 5 is amended by section 144 of the Criminal Justice Act 1988 (c. 33) and section 45 of the Criminal Procedure and Investigations Act 1996 (c. 25).
(b) 1991 c. 53; paragraph 4 of Schedule 6 is amended by section 45 of the Criminal Procedure and Investigations Act 1996.
(c) S.I. 1988/1691. The amending instrument is not relevant.
(d) S.I. 1992/1670. The amending instruments are not relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Justice Act 1987 (Notice of Transfer) Regulations 1988 and the Criminal Justice Act 1991 (Notice of Transfer) Regulations 1992 to transfer the administrative functions of justices' clerks under the Regulations to justices' chief executives in line with section 90 (transfer of clerks' functions to chief executives) of, and Schedule 13 to, the Access to Justice Act 1999 (c. 22), which implement corresponding transfers in primary legislation.

Subsection (5) of that section provides that for the purposes of that section the administrative functions of justices' clerks are all of their functions apart from those which are legal functions within the meaning given by section 48(2) of the Justices of the Peace Act 1997 (c. 25), as substituted by section 89(1) of the 1999 Act.

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