
STATUTORY INSTRUMENTS

2001 No. 615

**MAGISTRATES' COURTS
PROCEDURE**

The Magistrates' Courts (Transfer of Justices' Clerks' Functions) (Miscellaneous Amendments) Rules 2001

Made - - - - *28th February 2001*

Laid before Parliament *2nd March 2001*

Coming into force *1st April 2001*

**THE MAGISTRATES' COURTS (TRANSFER
OF JUSTICES' CLERKS' FUNCTIONS)
(MISCELLANEOUS AMENDMENTS) RULES 2001**

1. These Rules may be cited as the Magistrates' Courts (Transfer...
2. The following Rules are amended in accordance with the provisions...
Signature

SCHEDULE — Amendments

1. The Maintenance Orders (Facilities for Enforcement) Rules 1922
2. In rule 2A for “justices clerk”, in rule 3, for...
3. In rule 5A(2) before “notify in writing” insert “the justices'...
4. In rule 5A(3), for “clerk of”, in each place where...
5. In rule 5A(4), for “the clerk shall”, substitute “he shall”,...
6. In rule 6, for “clerk” substitute “justices' chief executive”.
7. For rule 6A(3) substitute— (3) On receipt of such an...
8. The Maintenance Orders (Facilities for Enforcement) (Amendment) Rules 2000
9. The Maintenance Orders Act 1950 (Summary Jurisdiction) Rules 1950
10. In rule 9B(1) before “notify in writing” insert “the justices'...
11. In rule 9B(3)— (a) for “the clerk shall” substitute “the...
12. In rule 11(2), for “the clerk” substitute “the justices' chief...
13. In rule 12 for “the clerk shall” substitute “the justices'...
14. In rule 13(1) for “the clerk of that court” substitute...
15. In Forms 1 and 2 in the Schedule, for “Clerk...

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16. In Form 4 in the Schedule, for “Justices' Clerk” substitute...
17. The Magistrates' Courts (Maintenance Orders Act 1958) Rules 1959
18. In rules 3(1) and (2) and 22(3) (in both places...
19. In rule 2(5)(a) for “signed by the clerk” substitute “signed...
20. In rule 5(2) for “clerk to” substitute “justices' chief executive...
21. In rule 5(3) for “through a clerk” substitute “through a...
22. In rule 5A(1) before “notify in writing” insert “the justices'...
23. In rule 5A(3) for “the clerk shall” substitute “the justices'...
24. In rule 21(B) or “the last-mentioned clerk” substitute “the last-mentioned...
25. In rule 22(3) for “receipt by the clerk” substitute “receipt...
26. In the Schedule, in Forms 1, 2, 3, 7, 11,...
27. In the Schedule, in Forms 1, 2, 3, 7, 8,...
28. In the Schedule, in Forms 8, 9 and 10, for...
29. In the Schedule, in Form 19, for “received by the...
30. The Magistrates' Courts (Backing of Warrants) Rules 1965
31. In rule 5B— (a) for “clerk to the justices” substitute...
32. The Magistrates' Courts (Attachment of Earnings) Rules 1971
33. In rules 14(3), 15(7) and 23(4), for “the clerk” substitute...
34. In the Schedule, in Forms 1 and 2, for “Clerk...
35. In the Schedule, in Form 4, for “Clerk of the...
36. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules 1974
37. In rules 7(1)(c), 9(1) and 9B(2) (in each place where...
38. In rule 2(1)— (a) for “his register” substitute “the court's...
39. In rule 4A, for paragraph (3) substitute—
40. In rule 4B, for paragraph (2)— (2) On receipt of...
41. For rule 7(2) substitute— Where a justices' chief executive receives...
42. In rule 8(1) and (2), for “his register” substitute “the...
43. In rule 9(1), for “that clerk” substitute “that justices' chief...
44. In rule 9B— (a) in paragraph (1), insert “the justices'...
45. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules 1975
46. In rules 6, 10(1), 10A(2) (in each place where it...
47. In rule 2— (a) for “his register” substitute “the court's...
48. For rule 4A(2) substitute the following new paragraph—
49. In rule 8(1), for “his register” substitute “the court's register”....
50. In rule 10(1), for “that clerk” substitute “that justices' chief...
51. In the Schedule, in Parts I and II—
52. The Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975
53. In rule 2(1)— (a) for “his register” substitute “the court's...
54. For rule 3A(1) substitute— (1) Where the justices' chief executive...
55. In rules 5(1) and (2), for “his register” substitute “the...
56. In rules 7(1) and 7A(2) (in both places where it...
57. In rule 7A(1) before “notify in writing” insert “the justices'...
58. In rule 7A(3)— (a) for “the clerk shall” substitute “the...
59. For rule 7B(3) substitute— (3) Where the justices' chief executive...
60. In the Form in the Schedule— (a) for “J.C.” substitute...
61. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules 1980
62. In rules 5(1) and (3), 7(2), 8(1A) and (2), 8A,...
63. In rule 2— (a) for “his register” substitute “the court's...
64. In rule 4A(3) substitute— (3) Where the justices' chief executive...
65. In rule 5(1), for “his register” substitute “the court's register”....

66. In rule 8(1), for “that clerk” substitute “that justices' chief...
67. In rule 8B(1) before “notify in writing” insert “the justices'...
68. In rule 8B(3)— (a) for the second reference to “the...
69. In Parts I and II of Schedule 2—
70. The Magistrates' Courts (Forms) Rules 1981
71. The Magistrates' Courts (Adoption) Rules 1984
72. In rule 16 after “on receipt” insert “by the justices'...
73. In rule 28(1), for “clerk to the justices” substitute “justices'...
74. In rules 9(1) and 21(1), before “shall serve notice”, and...
75. In Forms 3 and 8 in Schedule 1, for “Justices'...
76. The Magistrates' Courts (Discontinuance of Proceedings) Rules 1986
77. The Magistrates' Courts (Child Abduction and Custody) Rules 1986
78. The Magistrates' Courts (Civil Jurisdiction and Judgments Act 1982) Rules 1986
79. In each place where it occurs in rules 6(1) and...
80. In rule 2— (a) for “his register” substitute “the court's...
81. In rule 4(1), for “his register” substitute “the court's register”....
82. In rules 6(1) and 11(2), for “that clerk” substitute “that...
83. In rule 6A(1), before “notify in writing” insert “the justices'...
84. The Magistrates' Courts (Family Law Act 1986) Rules 1988
85. In the Schedule in Forms 1 and 2, for “Justices'...
86. The Magistrates' Courts (Notices of Transfer) Rules 1988
87. In the Schedule— (a) in Form 2, for “Justices' Clerk”...
88. The Magistrates' Courts (Extradition) Rules 1989
89. The Magistrates' Courts (Social Security Act 1986) (Transfer of Orders to maintain and Enforcement of Maintenance Orders) Rules 1990
90. In rule 4, for “clerk of” substitute “justices' chief executive...
91. The Magistrates' Courts (Criminal Justice (International Co-operation)) Rules 1991
92. In rules 3, 7 and 9(1) and (4), for “justices'...
93. The Family Proceedings Courts (Children Act 1989) Rules 1991
94. In rule 1(2) before the definition of “justices' clerk” insert...
95. In rule 15(3) for “justices' clerk's office”, in both places...
96. In rule 15(5) for the words from “the justices' clerk”...
97. In rules 3(2)(b) (before “give such notice”), 5(4)(b) (before “give...
98. In rule 14(5)(a) before “having given the parties notice”, insert...
99. In rule 14(2) after “on receipt of an application”, and...
100. For rule 4(2) substitute— (2) On receipt by the justices'...
101. For rule 21(7) substitute— (7) As soon as practicable after...
102. In rule 21H(1), for “clerk to the justices” substitute “justices'...
103. The Family Proceedings Courts (Constitution) Rules 1991
104. For rule 7 substitute the following rule:— (1) A justices' chief executive for a petty sessions area...
105. The Magistrates' Courts (Detention and Forfeiture of Drug Trafficking Cash) Rules 1991
106. In rule 7— (a) in paragraph (1), for “clerk to...
107. For rule 9(2), substitute— (2) Where the justices' chief executive...
108. For rule 9A(3), substitute— (3) Where a justices' chief executive...
109. In rule 12(2), for “clerk to” substitute “justices' chief executive...
110. In Forms C and E in the Schedule, for “Clerk...
111. The Family Proceedings Courts (Matrimonial Proceedings etc.) Rules 1991
112. For rule 3(2) substitute: (2) On receipt by the justices'...
113. In rule 6(3)(a) before “having given the parties notice” insert...

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114. In rule 6(1) after “on receipt of an application” and...
115. In rules 6(5) and (6)(b) before “give not less than...
116. In rule 7(5) for the words from “the justices' clerk”...
117. For rule 12(7) substitute— (7) After the court announces its...
118. In rule 7(3), for “justices' clerk’s office”, in both places...
119. In Schedule 1, in Form 7 and in the Form...
120. The Magistrates' Courts (Costs Against Legal Representatives in Civil Proceedings) Rules 1991
121. In rule 3(2), (4), (5) and (6), for “justices' clerk...
122. The Magistrates' Courts (Attendance Centre) Rules 1992
123. In rule 3(3) and (4), for “the clerk” substitute “the...
124. The Magistrates' Courts (Notice of Transfer) (Children’s Evidence) Rules 1992
125. In Schedule 2— (a) in Form 2, for “Justices' Clerk”...
126. The Magistrates' Courts (Children and Young Persons) Rules 1992
127. In Schedule 2, in Forms 4 and 5 for “[me...
128. In Schedule 2, in Form 22, for “me, the Clerk...
129. In Schedule 2, in Form 37, in each place where...
130. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Miscellaneous Amendments) Rules 1993
131. The Family Proceedings Courts (Child Support Act 1991) Rules 1993
132. In rules 6(3) (in the first place where it occurs),...
133. The Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules 1997
134. The Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules 1997
135. For rule 2(4), substitute— (4) Where the justices' chief executive...
136. In rule 3(2), for “the clerk” substitute “the justices' chief...
137. The Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules 1997
138. In Form TAM 1 in the Schedule, for “Clerk to...
139. The Magistrates' Courts (Sex Offender and Anti-social Behaviour Orders) Rules 1998
140. In rule 4, for “the clerk of the court” substitute...
141. The Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999
142. For rule 4(3) substitute— (3) On receipt of an application...
143. In rule 4(5), after “subject to” insert “the justices' chief...

Explanatory Note