

**2005 No. 1012**

**MAGISTRATES' COURTS**

**The Courts Act 2003 (Consequential and Transitional Provisions) Order 2005**

<i>Made</i> - - - -	<i>30th March 2005</i>
<i>Laid before Parliament</i>	<i>31st March 2005</i>
<i>Coming into force</i> - -	<i>1st April 2005</i>

The Lord Chancellor in exercise of the powers conferred upon him by section 109(4) and (5) of the Courts Act 2003(a) makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Courts Act 2003 (Consequential and Transitional Provisions) Order 2005 and shall come into force on 1st April 2005.

**Consequential provision**

2. In rule 3(1)(a) of the Magistrates' Courts (Civilian Enforcement Officers) Rules 1990(b) for "magistrates' court committees" substitute "the Lord Chancellor".

**Transitional provision**

3. Any person or body who on 31st March 2005 is approved as an approved enforcement agency by a magistrates' court committee under section 31A of the Justices of the Peace Act 1997(c) shall from 1st April 2005 be treated as having been approved as an approved enforcement agency by the Lord Chancellor under section 125B of the Magistrates' Courts Act 1980(d).

30th March 2005

*Falconer of Thoroton, C*  
Secretary of State  
Department for Constitutional Affairs

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(a) 2003 c. 39.  
(b) S.I. 1990/2260, as amended by S.I. 2001/164.  
(c) 1997 c.25. Section 31A was inserted by section 93(1) of the Access to Justice Act 1999 (c.22).  
(d) 1980 c.43. Section 125B was amended by paragraph 239 of Schedule 8 to the Courts Act 2003.

## EXPLANATORY NOTE

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

Magistrates' courts committees will be abolished on 1 April 2005 when section 6(1) of the Courts Act 2003 (c.39) comes into force. This Order makes a consequential amendment and a transitional provision that are required as a result of that abolition.

Article 2 of this Order makes a consequential amendment to the Magistrates' Courts (Civilian Enforcement Officers) Rules 1990. Magistrates' courts committees are currently one of the prescribed authorities that may employ civilian enforcement officers. Civilian enforcement officers employed by magistrates' courts committees will be transferred to the employment of the Lord Chancellor. Article 2 of this Order substitutes the Lord Chancellor for magistrates' courts committees and will allow civilian enforcement officers to continue to carry out their duties on 1 April 2005.

Article 3 of this Order makes a transitional provision to allow approved enforcement agencies who are currently approved by magistrates' courts committees to continue as if approved by the Lord Chancellor from 1 April following the abolition of magistrates' courts committees.

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