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STATUTORY INSTRUMENTS

2005 No. 617

**JUSTICES OF THE PEACE,
ENGLAND AND WALES
MAGISTRATES' COURTS,
ENGLAND AND WALES**

The Courts Act 2003 (Consequential
Provisions) (No. 2) Order 2005

<i>Made</i>	- - - -	<i>9th March 2005</i>
<i>Laid before Parliament</i>		<i>10th March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Lord Chancellor, in exercise of the power conferred on him by section 109(4)(a), (5)(b) and (6) of the Courts Act 2003⁽¹⁾, hereby makes the following Order:

Citation and commencement **E+W**

1. This Order may be cited as the Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005 and shall come into force on 1st April 2005.

Commencement Information

I1 Art. 1 in force at 1.4.2005, see [art. 1](#)

Consequential provisions **E+W**

2. The amendments of subordinate legislation in the Schedule to this Order have effect.

Commencement Information

I2 Art. 2 in force at 1.4.2005, see [art. 1](#)

(1) 2003 c. 39; see the definition of “enactment” in section 107(8).

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Revocation **E+W**

3. The Magistrates' Courts (Remands in Custody) Order 1989(2) is hereby revoked.

Commencement Information

I3 Art. 3 in force at 1.4.2005, see [art. 1](#)

Signed by authority of the Lord Chancellor

9th March 2005

Christopher Leslie
Parliamentary Under Secretary
Department for Constitutional Affairs

SCHEDULE **E+W**

Article 2

CONSEQUENTIAL AMENDMENTS

Maintenance Orders (Facilities for Enforcement) Rules 1922(3) **E+W**

1. In rule 1, for “justices' chief executive for the petty sessions area” substitute “designated officer for the local justice area”.

Commencement Information

I4 Sch. para. 1 in force at 1.4.2005, see [art. 1](#)

2. In rules 2A and 3, for “justices' chief executive” substitute “designated officer for a local justice area”.

Commencement Information

I5 Sch. para. 2 in force at 1.4.2005, see [art. 1](#)

3. In rules 5A(4) (in the first place) and 6A(3) (in the first place) and in the definition of “file” in paragraph 1 of the Schedule, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I6 Sch. para. 3 in force at 1.4.2005, see [art. 1](#)

4. In rules 4, 5, 5A(2) and (4) (in the second place), 6, 6A(3)(b) and 7 and paragraphs 2(1)(b) and (2), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of the Schedule, for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I7 Sch. para. 4 in force at 1.4.2005, see [art. 1](#)

5. In paragraph 1 of the Schedule, omit the definition of “justices' chief executive”.

Commencement Information

I8 Sch. para. 5 in force at 1.4.2005, see [art. 1](#)

6. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I9 Sch. para. 6 in force at 1.4.2005, see [art. 1](#)

(3) S.I. [1922/1355](#); the relevant amending instruments are S.I. [1992/457](#), [1993/617](#) and [2001/615](#).

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7. In paragraph 12(2) of the Schedule, for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I10 Sch. para. 7 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I4 Sch. para. 1 in force at 1.4.2005, see [art. 1](#)

I5 Sch. para. 2 in force at 1.4.2005, see [art. 1](#)

I6 Sch. para. 3 in force at 1.4.2005, see [art. 1](#)

I7 Sch. para. 4 in force at 1.4.2005, see [art. 1](#)

I8 Sch. para. 5 in force at 1.4.2005, see [art. 1](#)

I9 Sch. para. 6 in force at 1.4.2005, see [art. 1](#)

I10 Sch. para. 7 in force at 1.4.2005, see [art. 1](#)

Maintenance Orders Act 1950 (Summary Jurisdiction) Rules 1950(4) **E+W**

8. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I11 Sch. para. 8 in force at 1.4.2005, see [art. 1](#)

9. In rules 1(1) and (4), 2(1) and 5(1), for “acting for the same place” substitute “acting in the same place”.

Commencement Information

I12 Sch. para. 9 in force at 1.4.2005, see [art. 1](#)

10. In the Schedule—

- (a) in Forms 1 and 2, for “Petty Sessional Division” substitute “Local Justice Area” and for “Justices' Chief Executive” (in each place) substitute “Designated Officer”; and
- (b) in Form 4, for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Commencement Information

I13 Sch. para. 10 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I11 Sch. para. 8 in force at 1.4.2005, see [art. 1](#)

I12 Sch. para. 9 in force at 1.4.2005, see [art. 1](#)

I13 Sch. para. 10 in force at 1.4.2005, see [art. 1](#)

(4) S.I. [1950/2035](#); the relevant amending instruments are S.I. [1980/1895](#), [1992/457](#) and [2001/615](#).

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Youth Courts (Constitution) Rules 1954(5) **E+W**

11. In rule 1—

- (a) after paragraph (1), insert the following paragraph:

“(1A) In respect of the next meeting to be held after 1st April 2005 as provided in paragraph (1) above and in every third year thereafter, that paragraph shall have effect as if the reference to “of each petty sessions area” were a reference to “for each local justice area” and a panel in being on that date shall have effect as the panel for the local justice area corresponding (in accordance with the first order made under section 8 of the Courts Act 2003) to the petty sessions area for which it was formed.”;

- (b) in paragraphs (2), (3) and (5)(a) (in both places), for “petty sessions area” substitute “local justice area”;
- (c) omit paragraph (4) and the words “except as provided in paragraph (4) of this Rule” in paragraph (2); and
- (d) in paragraph (5)—
- (i) in subparagraph (b), at the end insert “and are assigned to the first area by the Lord Chancellor”; and
 - (ii) omit subparagraph (d).

Commencement Information

I14 Sch. para. 11 in force at 1.4.2005, see [art. 1](#)

12. In rules 3, 6 and 9(1), for “petty sessions area” substitute “local justice area”.

Commencement Information

I15 Sch. para. 12 in force at 1.4.2005, see [art. 1](#)

13. In rule 14(1), omit the words from “and, in relation to” to the end”.

Commencement Information

I16 Sch. para. 13 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I14 Sch. para. 11 in force at 1.4.2005, see [art. 1](#)

I15 Sch. para. 12 in force at 1.4.2005, see [art. 1](#)

I16 Sch. para. 13 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Maintenance Orders Act 1958) Rules 1959(6) **E+W**

14. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

- (5) [S.I. 1954/1711](#); the relevant amending instruments are [S.I. 1996/577](#) and [1996/3068](#). The words “youth court” or “youth courts” were substituted throughout this instrument by virtue of section 70 of the Criminal Justice Act 1991 (c. 53).
- (6) [S.I.1959/3](#); the relevant amending instruments are [S.I. 1980/1896](#), [1986/1962](#), [1989/384](#), [1992/457](#) and [2001/615](#).

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Commencement Information

I17 Sch. para. 14 in force at 1.4.2005, see [art. 1](#)

15. In the Schedule—

- (a) for “JUSTICES' CHIEF EXECUTIVE” (in each place) substitute “DESIGNATED OFFICER”;
- (b) for “Justices' Chief Executive” (in each place) and “Chief Executive” substitute “Designated Officer”; and
- (c) for “Petty Sessional Division” (in each place) substitute “Local Justice Area”.

Commencement Information

I18 Sch. para. 15 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I17 Sch. para. 14 in force at 1.4.2005, see [art. 1](#)

I18 Sch. para. 15 in force at 1.4.2005, see [art. 1](#)

Betting (Licensing) Regulations 1960(7) **E+W**

- 16. In regulations 1(1) and 2(1), for “petty sessions area” substitute “local justice area”.

Commencement Information

I19 Sch. para. 16 in force at 1.4.2005, see [art. 1](#)

17. In the Schedule—

- (a) in Forms 1 to 6 and 9 to 12, for “Petty Sessional Division” substitute “Local Justice Area”; and
- (b) in Forms 7 and 8, for “PETTY SESSIONAL DIVISION” substitute “LOCAL JUSTICE AREA”.

Commencement Information

I20 Sch. para. 17 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I19 Sch. para. 16 in force at 1.4.2005, see [art. 1](#)

I20 Sch. para. 17 in force at 1.4.2005, see [art. 1](#)

(7) S.I. [1960/1701](#), amended by S.I. [1963/859](#).

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Betting Levy (Particulars of Bookmakers' Permits) Regulations 1961(8) **E+W**

18. In regulation 1(a), for “petty sessions area” substitute “local justice area”.

Commencement Information

I21 Sch. para. 18 in force at 1.4.2005, see [art. 1](#)

Justices of the Peace Act 1949 (Compensation) Regulations 1965(9) **E+W**

19. In regulation 2(1), in the definition of “determining authority” for the words from “means” to the end substitute “means the Lord Chancellor”.

Commencement Information

I22 Sch. para. 19 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Backing of Warrants) Rules 1965(10) **E+W**

20. In rules 3(2) and (3), 4(1) and 5B (in the second place), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I23 Sch. para. 20 in force at 1.4.2005, see [art. 1](#)

21. In rule 5B, for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates' court”.

Commencement Information

I24 Sch. para. 21 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I23 Sch. para. 20 in force at 1.4.2005, see [art. 1](#)

I24 Sch. para. 21 in force at 1.4.2005, see [art. 1](#)

Criminal Appeal Rules 1968(11) **E+W**

22. In Schedule 1 to these Rules for “justices' chief executive” (in each place) substitute “designated officer” and for “Justices' Chief Executive” substitute “Designated Officer”.

(8) S.I. 1961/1547.

(9) S.I. 1965/283; the amending instruments are not relevant.

(10) S.I. 1965/1906, amended by S.I. 1989/1596 and 2001/615.

(11) S.I. 1968/1262; the relevant amending instrument is S.I. 2001/613.

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Commencement Information

I25 Sch. para. 22 in force at 1.4.2005, see [art. 1](#)

Gaming Act (Registration under Part II) Regulations 1969(12) **E+W**

23. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

Commencement Information

I26 Sch. para. 23 in force at 1.4.2005, see [art. 1](#)

Gaming Act (Registration under Part III) Regulations 1969(13) **E+W**

24. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

Commencement Information

I27 Sch. para. 24 in force at 1.4.2005, see [art. 1](#)

Gaming Clubs (Licensing) Regulations 1969(14) **E+W**

25. In these Regulations, for “petty sessions area” (in each place) substitute “local justice area”.

Commencement Information

I28 Sch. para. 25 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Attachment of Earnings) Rules 1971(15) **E+W**

- 26.** In these Rules (in each place)—
- (a) for “justices' chief executive” substitute “designated officer”;
 - (b) for “acting for” substitute “acting in”; and
 - (c) for “petty sessions area” substitute “local justice area”.

Commencement Information

I29 Sch. para. 26 in force at 1.4.2005, see [art. 1](#)

27. In rule 9(2), for “for which the justice is acting” substitute “in which the justice is acting”.

(12) S.I. 1969/550; the amending instruments are not relevant.

(13) S.I. 1969/1109.

(14) S.I. 1969/1110; the relevant amending instrument is S.I. 2003/1513.

(15) S.I. 1971/809; the relevant amending instrument is S.I. 2001/615.

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Commencement Information

I30 Sch. para. 27 in force at 1.4.2005, see [art. 1](#)

28. In rule 16(1), for “for which the second mentioned court acted” substitute “in which the second mentioned court acted”.

Commencement Information

I31 Sch. para. 28 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I29 Sch. para. 26 in force at 1.4.2005, see [art. 1](#)

I30 Sch. para. 27 in force at 1.4.2005, see [art. 1](#)

I31 Sch. para. 28 in force at 1.4.2005, see [art. 1](#)

Blood Tests (Evidence of Paternity) Regulations 1971(**16**) **E+W**

29. In Form 2 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer”.

Commencement Information

I32 Sch. para. 29 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Blood Tests) Rules 1971(**17**) **E+W**

30. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court” and in Form 3 in the Schedule, for “Justices Chief Executive” substitute “Designated Officer for the . . . Magistrates' Court”.

Commencement Information

I33 Sch. para. 30 in force at 1.4.2005, see [art. 1](#)

Isles of Scilly (Sale of Intoxicating Liquor) Order 1973(**18**) **E+W**

31. In article 4(2)(f), omit ““justices' chief executive”” and for “chief executive to” substitute “designated officer for”.

Commencement Information

I34 Sch. para. 31 in force at 1.4.2005, see [art. 1](#)

(16) S.I. [1971/1861](#); the relevant amending instrument is S.I. [2001/773](#).

(17) S.I. [1971/1991](#); the relevant amending instrument is S.I. [2001/776](#).

(18) S.I. [1973/1958](#), amended by S.I. [1983/1136](#) and [2001/1099](#).

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32. In article 14, for “justices' chief executives” substitute “designated officers for licensing justices”.

Commencement Information

I35 Sch. para. 32 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I34 Sch. para. 31 in force at 1.4.2005, see [art. 1](#)

I35 Sch. para. 32 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules 1974(19) **E+W**

33. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

Commencement Information

I36 Sch. para. 33 in force at 1.4.2005, see [art. 1](#)

34. In rules 4A(3) (in the first place), 7(2) (in the first place), 8(1), 9(1A) (in the first place) and (2), 13(1) and (3) and 14(1) and (2) (in the first place) and in the definition of “file” in paragraph 1 of Schedule A1, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I37 Sch. para. 34 in force at 1.4.2005, see [art. 1](#)

35. In rules 4B(2)(b), 8(2), 9B(1) and 12 (in each place) and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule A1, for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I38 Sch. para. 35 in force at 1.4.2005, see [art. 1](#)

36. In paragraph 1 of Schedule A1, omit the definition of “justices' chief executive”.

Commencement Information

I39 Sch. para. 36 in force at 1.4.2005, see [art. 1](#)

37. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

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Commencement Information

I40 Sch. para. 37 in force at 1.4.2005, see [art. 1](#)

38. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I41 Sch. para. 38 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I36 Sch. para. 33 in force at 1.4.2005, see [art. 1](#)

I37 Sch. para. 34 in force at 1.4.2005, see [art. 1](#)

I38 Sch. para. 35 in force at 1.4.2005, see [art. 1](#)

I39 Sch. para. 36 in force at 1.4.2005, see [art. 1](#)

I40 Sch. para. 37 in force at 1.4.2005, see [art. 1](#)

I41 Sch. para. 38 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Guardianship of Minors) Rules 1974(20) **E+W**

39. In rule 5(1), omit “for the commission area in which the applicant or any respondent resides”.

Commencement Information

I42 Sch. para. 39 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules 1975(21) **E+W**

40. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

Commencement Information

I43 Sch. para. 40 in force at 1.4.2005, see [art. 1](#)

41. In rules 4A(2) (in the first place), 8(1) and 13 (in each place) and in the definition of “file” in paragraph 1 of Schedule A1, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I44 Sch. para. 41 in force at 1.4.2005, see [art. 1](#)

(20) S.I. 1974/706; the relevant amending instruments are S.I. 1980/1585 and 1989/384.

(21) S.I. 1975/286, as amended by S.I. 1992/457, 1993/617 and 2001/615.

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42. In rules 9(2), 10(1A), (2) and (3) and 12 and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule A1, for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I45 Sch. para. 42 in force at 1.4.2005, see [art. 1](#)

43. In paragraph 1 of Schedule A1, omit the definition of “justices' chief executive”.

Commencement Information

I46 Sch. para. 43 in force at 1.4.2005, see [art. 1](#)

44. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I47 Sch. para. 44 in force at 1.4.2005, see [art. 1](#)

45. In rule 14(1), for “petty sessions area for which the court acts” substitute “local justice area in which the court acts”.

Commencement Information

I48 Sch. para. 45 in force at 1.4.2005, see [art. 1](#)

46. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I49 Sch. para. 46 in force at 1.4.2005, see [art. 1](#)

47. In the Schedule (in both places), for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Commencement Information

I50 Sch. para. 47 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I43 Sch. para. 40 in force at 1.4.2005, see [art. 1](#)

I44 Sch. para. 41 in force at 1.4.2005, see [art. 1](#)

I45 Sch. para. 42 in force at 1.4.2005, see [art. 1](#)

I46 Sch. para. 43 in force at 1.4.2005, see [art. 1](#)

I47 Sch. para. 44 in force at 1.4.2005, see [art. 1](#)

I48 Sch. para. 45 in force at 1.4.2005, see [art. 1](#)

I49 Sch. para. 46 in force at 1.4.2005, see [art. 1](#)

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I50 Sch. para. 47 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975(22) **E+W**

48. In the definition of “the court’s register” in rule 2(1), for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

Commencement Information

I51 Sch. para. 48 in force at 1.4.2005, see [art. 1](#)

49. In rules 3A(1) (in the first place), 5(2), 6(1) and (2), 7(1) and (2) and 10(1) and in the definition of “file” in paragraph 1 of Schedule 2, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I52 Sch. para. 49 in force at 1.4.2005, see [art. 1](#)

50. In rules 3A(1)(b), 4, 5A, 7A(1), 7B(3) and 8(1) and paragraphs 5(1), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule 2, for “justices' chief executive” and in rule 7B(3)(b) for “justices' chief Executive” substitute “designated officer for the court”.

Commencement Information

I53 Sch. para. 50 in force at 1.4.2005, see [art. 1](#)

51. In paragraph 1 of Schedule 2, omit the definition of “justices' chief executive”.

Commencement Information

I54 Sch. para. 51 in force at 1.4.2005, see [art. 1](#)

52. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I55 Sch. para. 52 in force at 1.4.2005, see [art. 1](#)

53. In paragraph 12(2) of Schedule 2, for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I56 Sch. para. 53 in force at 1.4.2005, see [art. 1](#)

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54. In Schedule 1, for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Commencement Information

I57 Sch. para. 54 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I51 Sch. para. 48 in force at 1.4.2005, see [art. 1](#)

I52 Sch. para. 49 in force at 1.4.2005, see [art. 1](#)

I53 Sch. para. 50 in force at 1.4.2005, see [art. 1](#)

I54 Sch. para. 51 in force at 1.4.2005, see [art. 1](#)

I55 Sch. para. 52 in force at 1.4.2005, see [art. 1](#)

I56 Sch. para. 53 in force at 1.4.2005, see [art. 1](#)

I57 Sch. para. 54 in force at 1.4.2005, see [art. 1](#)

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(**23**) **E+W**

55. In paragraph 4 of Part II of Schedule 1, for “Justices' chief executives” substitute “Designated officers for magistrates' courts, for justices of the peace or for local justice areas”.

Commencement Information

I58 Sch. para. 55 in force at 1.4.2005, see [art. 1](#)

Local Government Area Changes Regulations 1976(**24**) **E+W**

56. In regulations 3(4), 40(1)(a)(ix) and 85(2)(b), for “petty sessions area” substitute “local justice area”.

Commencement Information

I59 Sch. para. 56 in force at 1.4.2005, see [art. 1](#)

57. In regulation 19—

(a) omit paragraph (1) of Part 1; and

(b) in paragraph (2), for “petty sessions area” (in each place) substitute “local justice area”.

Commencement Information

I60 Sch. para. 57 in force at 1.4.2005, see [art. 1](#)

58. In the heading of Schedule 1, for “Petty Sessions Areas” substitute “Local Justice Areas” and in the heading of each part of that schedule, for “Petty Sessions Area” substitute “Local Justice Area” and in that schedule—

(23) S.I. [1975/1023](#); the relevant amending instrument is S.I. [2001/1192](#).

(24) S.I. [1976/246](#); the relevant amending instrument is S.I. [1978/247](#).

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (a) in paragraph 1 of Part I—
 - (i) in the definition of “transferred area”, for “petty sessions area” substitute “local justice area”; and
 - (ii) in the definitions of “the transferor area” and “the transferee area”, for “petty sessions area” substitute “local justice area” and for “act for such petty sessions area” substitute “act in such local justice area”; and
- (b) in paragraph 6 of Part I, for “petty sessions area” substitute “local justice area”;
- (c) in paragraphs 1 (in both places) and 4 of Part II, for “petty sessions area” substitute “local justice area”; and
- (d) in paragraph 1 of Part III, omit subparagraphs (d) and (iv).

Commencement Information

I61 Sch. para. 58 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I59 Sch. para. 56 in force at 1.4.2005, see [art. 1](#)

I60 Sch. para. 57 in force at 1.4.2005, see [art. 1](#)

I61 Sch. para. 58 in force at 1.4.2005, see [art. 1](#)

Justices' Clerks (Qualifications of Assistants) Rules 1979(25) **E+W**

59. In rule 2(1), omit the definition of “magistrates' courts committee” and, in rule 2A(1)(a), “whether or not with the same magistrates' courts committee”.

Commencement Information

I62 Sch. para. 59 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules 1980(26) **E+W**

60. In the definition of “the court’s register” in rule 2, for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

Commencement Information

I63 Sch. para. 60 in force at 1.4.2005, see [art. 1](#)

61. In rules 4A(3) (in the first place), 5(1), 10(1) and (2) and 11 and in the definition of “file” in paragraph 1 of Schedule 1A, for “justices' chief executive” substitute “designated officer for a magistrates' court”.

(25) S.I. 1979/570; the relevant amending instrument is S.I. 1999/2814.

(26) S.I. 1980/108 (applied by S.I. 1996/2802); the relevant amending instruments are S.I. 1986/1962, 1992/457, 1993/617 and 2001/615.

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Commencement Information

I64 Sch. para. 61 in force at 1.4.2005, see [art. 1](#)

62. In rules 5(3), 7(2), 8(1A) and (2), 8B(1) and paragraphs 2(1)(b), 4(1) and (4), 5(3) (in the first place) and (5)(c)(ii), 7(3) and 8(1) of Schedule 1A, for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I65 Sch. para. 62 in force at 1.4.2005, see [art. 1](#)

63. In paragraph 1 of Schedule 1A, omit the definition of “justices' chief executive”.

Commencement Information

I66 Sch. para. 63 in force at 1.4.2005, see [art. 1](#)

64. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I67 Sch. para. 64 in force at 1.4.2005, see [art. 1](#)

65. In rule 12(1), for “petty sessions area for which the court acts” substitute “local justice area in which the court acts”.

Commencement Information

I68 Sch. para. 65 in force at 1.4.2005, see [art. 1](#)

66. In paragraph 12(2) of Schedule 1A, for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I69 Sch. para. 66 in force at 1.4.2005, see [art. 1](#)

67. In Schedule 2 (in each place), for “J.C.E.” substitute “D.O.” and for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

Commencement Information

I70 Sch. para. 67 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I63 Sch. para. 60 in force at 1.4.2005, see [art. 1](#)

I64 Sch. para. 61 in force at 1.4.2005, see [art. 1](#)

- I65** Sch. para. 62 in force at 1.4.2005, see [art. 1](#)
- I66** Sch. para. 63 in force at 1.4.2005, see [art. 1](#)
- I67** Sch. para. 64 in force at 1.4.2005, see [art. 1](#)
- I68** Sch. para. 65 in force at 1.4.2005, see [art. 1](#)
- I69** Sch. para. 66 in force at 1.4.2005, see [art. 1](#)
- I70** Sch. para. 67 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts Rules 1981(27) **E+W**

68. In rule 4A(4), for “chief executive to” substitute “designated officer for”.

Commencement Information

- I71** Sch. para. 68 in force at 1.4.2005, see [art. 1](#)

69. In rule 32(1)(a), for “petty sessions area for which the court is acting” substitute “local justice area in which the court is acting”.

Commencement Information

- I72** Sch. para. 69 in force at 1.4.2005, see [art. 1](#)

70. In rule 41—

- (a) in paragraph (1)(a), for “appointed for the commission area” substitute “acting in the local justice area”;
- (b) in paragraph (2)—
 - (i) for “acting for the same petty sessions area” substitute “acting in the same local justice area”; and
 - (ii) for “acting for the petty sessions area” substitute “acting in the local justice area”;
- (c) in paragraph (3), for “acting for the same petty sessions area” substitute “acting in the same local justice area”;
- (d) in paragraph (4)—
 - (i) for “acting for the same petty sessions area” substitute “acting in the same local justice area”;
 - (ii) for “petty sessions area” (in the second place) substitute “local justice area”; and
 - (iii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”;
- (e) in paragraph (5)—
 - (i) for “petty sessions area for which the justice is acting” substitute “local justice area in which the justice is acting”;
 - (ii) for “petty sessions areas” substitute “local justice areas”; and
 - (iii) for “petty sessions area” (in the second place) substitute “local justice area”;
- (f) in paragraph (7)—

(27) S.I. 1981/552; the relevant amending instruments are S.I. 1983/523, 1984/1552, 1985/1944, 1986/1332, 1989/384, 1992/457, 1992/2072, 1993/1183, 1994/1481, 1995/585, 1997/706, 2000/3361, 2001/167, 2001/610, 2003/423, 2003/1236 and 2004/2993.

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (i) for “acting for a petty sessions area other than that for which the responsible court acts” substitute “acting in a local justice area other than that in which the responsible court acts”;
 - (ii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”; and
 - (iii) for “acting for the same petty sessions area” substitute “acting in the same local justice area”; and
- (g) in paragraph (8), for “that chief executive” substitute “that designated officer”.

Commencement Information

I73 Sch. para. 70 in force at 1.4.2005, see [art. 1](#)

71. In rule 55, for “that chief executive” substitute “that designated officer”.

Commencement Information

I74 Sch. para. 71 in force at 1.4.2005, see [art. 1](#)

72. In rule 57A(1)—

- (a) for “a justices' chief executive” substitute “the designated officer for a magistrates' court”;
- and
- (b) for “justices' chief executive” in subparagraphs (f) and (g) substitute “designated officer for the court”.

Commencement Information

I75 Sch. para. 72 in force at 1.4.2005, see [art. 1](#)

73. In rule 58(3), for “commission area for which the justice issuing the summons acted” substitute “local justice area in which the justice issuing the summons acted”.

Commencement Information

I76 Sch. para. 73 in force at 1.4.2005, see [art. 1](#)

74. In rule 59—

- (a) in paragraph (1)(a)(ii), for “petty sessions area other than that for which the court acts” substitute “local justice area other than that in which the court acts”;
- (b) in paragraph (1)(a)(iii), for “acting for that petty sessions area” substitute “acting in that local justice area”; and
- (c) in paragraph (2)—
 - (i) for “petty sessions area other than that for which the justice is acting” substitute “local justice area other than that in which the justice is acting”;
 - (ii) for “acting for that area” substitute “acting in that area”; and
 - (iii) for “acting for that other petty sessions area” substitute “acting in that other local justice area”.

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Commencement Information

I77 Sch. para. 74 in force at 1.4.2005, see [art. 1](#)

75. In rules 60(2), 63(1) and 74(4), for “that chief executive” substitute “that designated officer”.

Commencement Information

I78 Sch. para. 75 in force at 1.4.2005, see [art. 1](#)

76. In rule 72A, for “justices' chief executive”—

- (a) in paragraph (1), substitute “designated officer for the magistrates' court”; and
- (b) in paragraphs (2) to (5), substitute “designated officer for the court”.

Commencement Information

I79 Sch. para. 76 in force at 1.4.2005, see [art. 1](#)

77. In rule 82—

- (a) for “acting for any petty sessions area” substitute “acting in any local justice area”;
- (b) for “acting for any other petty sessions area” substitute “acting in any other local justice area”; and
- (c) for “acting for that other petty sessions area” substitute “acting in that other local justice area”.

Commencement Information

I80 Sch. para. 77 in force at 1.4.2005, see [art. 1](#)

78. In rule 84A(2)(b), for “acting for the petty sessions area” substitute “acting in the local justice area”.

Commencement Information

I81 Sch. para. 78 in force at 1.4.2005, see [art. 1](#)

79. In rule 86(1)(b), for “a justices' chief executive” substitute “the designated officer for a magistrates' court”.

Commencement Information

I82 Sch. para. 79 in force at 1.4.2005, see [art. 1](#)

80. In rule 92, for “acting for the same petty sessions area as that for which the justice acts” substitute “acting in the same local justice area as that in which the justice acts”.

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Commencement Information

I83 Sch. para. 80 in force at 1.4.2005, see [art. 1](#)

81. In rule 93B—

- (a) in paragraph (1)(b), for “acting for the petty sessions area” substitute “acting in the local justice area”; and
- (b) in paragraph (3)(b), for “justices' chief executive” substitute “designated officer for that magistrates' court”.

Commencement Information

I84 Sch. para. 81 in force at 1.4.2005, see [art. 1](#)

82. In rule 95A, for “petty sessions area” substitute “local justice area”.

Commencement Information

I85 Sch. para. 82 in force at 1.4.2005, see [art. 1](#)

83. In rule 101(2), for “acting for the petty sessions area for which the justice is acting” substitute “acting in the local justice area in which the justice is acting”.

Commencement Information

I86 Sch. para. 83 in force at 1.4.2005, see [art. 1](#)

84. In rule 106(2)(b), for “acting for the same petty sessions area as that of the court” substitute “acting in the same local justice area as that of the court”.

Commencement Information

I87 Sch. para. 84 in force at 1.4.2005, see [art. 1](#)

85. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I88 Sch. para. 85 in force at 1.4.2005, see [art. 1](#)

Commencement Information

- I71** Sch. para. 68 in force at 1.4.2005, see [art. 1](#)
- I72** Sch. para. 69 in force at 1.4.2005, see [art. 1](#)
- I73** Sch. para. 70 in force at 1.4.2005, see [art. 1](#)
- I74** Sch. para. 71 in force at 1.4.2005, see [art. 1](#)
- I75** Sch. para. 72 in force at 1.4.2005, see [art. 1](#)
- I76** Sch. para. 73 in force at 1.4.2005, see [art. 1](#)
- I77** Sch. para. 74 in force at 1.4.2005, see [art. 1](#)

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- 178** Sch. para. 75 in force at 1.4.2005, see [art. 1](#)
- 179** Sch. para. 76 in force at 1.4.2005, see [art. 1](#)
- 180** Sch. para. 77 in force at 1.4.2005, see [art. 1](#)
- 181** Sch. para. 78 in force at 1.4.2005, see [art. 1](#)
- 182** Sch. para. 79 in force at 1.4.2005, see [art. 1](#)
- 183** Sch. para. 80 in force at 1.4.2005, see [art. 1](#)
- 184** Sch. para. 81 in force at 1.4.2005, see [art. 1](#)
- 185** Sch. para. 82 in force at 1.4.2005, see [art. 1](#)
- 186** Sch. para. 83 in force at 1.4.2005, see [art. 1](#)
- 187** Sch. para. 84 in force at 1.4.2005, see [art. 1](#)
- 188** Sch. para. 85 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Forms) Rules 1981(28) **E+W**

86. In Schedule 2—

- (a) in Form 13 for “justices' chief executive” substitute “designated officer”;
- (b) in Form 25, for “Chief Executive to” substitute “Designated Officer for”;
- (c) in Form 92I, for “Petty sessions area” substitute “Local justice area”;
- (d) in Form 155, for “acting in and for the Petty Sessional Division” substitute “acting in the Local Justice Area”.

Commencement Information

- 189** Sch. para. 86 in force at 1.4.2005, see [art. 1](#)

Crown Court Rules 1982(29) **E+W**

87. In these Rules (in each place), for “justices' chief executive” substitute “designated officer”.

Commencement Information

- 190** Sch. para. 87 in force at 1.4.2005, see [art. 1](#)

88. In rules 3(2) and (3) and 4(1)(a) and (b), for “petty sessions area” substitute “local justice area”.

Commencement Information

- 191** Sch. para. 88 in force at 1.4.2005, see [art. 1](#)

89. In rules 7(2)(b) and (7)(c), 8(d) and 11(2)(b), for “chief executive to” substitute “designated officer for”.

Commencement Information

- 192** Sch. para. 89 in force at 1.4.2005, see [art. 1](#)

(28) S.I. [1981/553](#); the relevant amending instrument is S.I. [2001/615](#).

(29) S.I. [1982/1109](#); the relevant amending instruments are S.I. [1988/952](#), [1988/1332](#), [1988/1635](#), [1994/1480](#) and [2001/614](#).

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90. In Schedule 10, for “Justices' Chief Executive” substitute “Designated Officer”.

Commencement Information

I93 Sch. para. 90 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I90 Sch. para. 87 in force at 1.4.2005, see [art. 1](#)

I91 Sch. para. 88 in force at 1.4.2005, see [art. 1](#)

I92 Sch. para. 89 in force at 1.4.2005, see [art. 1](#)

I93 Sch. para. 90 in force at 1.4.2005, see [art. 1](#)

*Magistrates' Courts (Adoption) Rules 1984***(30)** **E+W**

91. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court”.

Commencement Information

I94 Sch. para. 91 in force at 1.4.2005, see [art. 1](#)

92. In rule 15(1), for “acting for the area” substitute “acting in the area”.

Commencement Information

I95 Sch. para. 92 in force at 1.4.2005, see [art. 1](#)

93. In rule 28(1), for “acting for the same petty sessions area” substitute “acting in the same local justice area”.

Commencement Information

I96 Sch. para. 93 in force at 1.4.2005, see [art. 1](#)

94. In Form 3 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer for the Court” and for “Chief Executive to” substitute “Designated Officer for”.

Commencement Information

I97 Sch. para. 94 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I94 Sch. para. 91 in force at 1.4.2005, see [art. 1](#)

I95 Sch. para. 92 in force at 1.4.2005, see [art. 1](#)

I96 Sch. para. 93 in force at 1.4.2005, see [art. 1](#)

(30) S.I. [1984/611](#); the relevant amending instruments are S.I. [1989/384](#), [1991/1991](#), [2001/615](#) and [2001/820](#).

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197 Sch. para. 94 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Discontinuance of Proceedings) Rules 1986(31) **E+W**

95. In rule 6, for “justices' chief executive” substitute “designated officer”.

Commencement Information

198 Sch. para. 95 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Child Abduction and Custody) Rules 1986(32) **E+W**

96. In rule 8(1), (3) and (4), for “justices' chief executive” substitute “designated officer”.

Commencement Information

199 Sch. para. 96 in force at 1.4.2005, see [art. 1](#)

Fixed Penalty (Procedure) Regulations 1986(33) **E+W**

97. In regulation 5(3), for “justices' chief executive” (in the first place) substitute “the designated officer for a magistrates' court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

Commencement Information

I100 Sch. para. 97 in force at 1.4.2005, see [art. 1](#)

98. In regulation 8, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I101 Sch. para. 98 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I100 Sch. para. 97 in force at 1.4.2005, see [art. 1](#)

I101 Sch. para. 98 in force at 1.4.2005, see [art. 1](#)

Costs in Criminal Cases (General) Regulations 1986(34) **E+W**

99. In regulations 6(2) and 8(1), for “justices' chief executive” substitute “designated officer”.

(31) S.I. 1986/367; the relevant amending instrument is S.I. 2001/615.

(32) S.I. 1986/1141; the relevant amending instrument is S.I. 2001/615.

(33) S.I. 1986/1330, amended by S.I. 2001/926.

(34) S.I. 1986/1335; the relevant amending instruments are S.I. 1999/2096 and 2001/611.

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Commencement Information

I102 Sch. para. 99 in force at 1.4.2005, see [art. 1](#)

Insolvency Rules 1986(35) **E+W**

100. In Form 2.1B in Schedule 4, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I103 Sch. para. 100 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Civil Jurisdiction and Judgments Act 1982) Rules 1986(36) **E+W**

101. In the definition of “the court’s register” in rule 2, for “a justices' chief executive, means the register kept by the justices' chief executive” substitute “the designated officer for a magistrates' court, means the register kept by the designated officer”.

Commencement Information

I104 Sch. para. 101 in force at 1.4.2005, see [art. 1](#)

102. In rule 4(1) and (1A), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I105 Sch. para. 102 in force at 1.4.2005, see [art. 1](#)

103. In rules 4(2), 6A, 10 (in each place) and 11(2)(b) and (3)(a) and (b), (4), (5) and (6), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I106 Sch. para. 103 in force at 1.4.2005, see [art. 1](#)

104. For “justices' chief executive” in other places in these Rules substitute “designated officer”.

Commencement Information

I107 Sch. para. 104 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I104 Sch. para. 101 in force at 1.4.2005, see [art. 1](#)

I105 Sch. para. 102 in force at 1.4.2005, see [art. 1](#)

(35) S.I. 1986/1925; the relevant amending instrument is S.I. 2003/1730.

(36) S.I. 1986/1962; the relevant amending instruments are S.I. 1992/457, 2001/615 and 2002/194.

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I106 Sch. para. 103 in force at 1.4.2005, see [art. 1](#)

I107 Sch. para. 104 in force at 1.4.2005, see [art. 1](#)

*Magistrates' Courts (Family Law Act 1986) Rules 1988***(37)** E+W

105. In these Rules for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I108 Sch. para. 105 in force at 1.4.2005, see [art. 1](#)

106. In rule 2(1), omit the definition of “commission area”

Commencement Information

I109 Sch. para. 106 in force at 1.4.2005, see [art. 1](#)

107. In the Schedule—

- (a) in Form 1, for “Justices' Chief Executive” substitute “Designated Officer”; and
- (b) in Form 2, for “Justices' Chief Executive” (in both places) substitute “Designated Officer”.

Commencement Information

I110 Sch. para. 107 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I108 Sch. para. 105 in force at 1.4.2005, see [art. 1](#)

I109 Sch. para. 106 in force at 1.4.2005, see [art. 1](#)

I110 Sch. para. 107 in force at 1.4.2005, see [art. 1](#)

*Magistrates' Courts (Notices of Transfer) Rules 1988***(38)** E+W

108. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I111 Sch. para. 108 in force at 1.4.2005, see [art. 1](#)

*Civil Legal Aid (General) Regulations 1989***(39)** E+W

109. In regulation 54(4), for “justices' chief executive” substitute “designated officer for the magistrates' court”.

(37) S.I. [1988/329](#); the relevant amending instrument is S.I. [2001/615](#).

(38) S.I. [1988/1701](#); the relevant amending instruments are S.I. [2001/615](#) and [2003/1236](#).

(39) S.I. [1989/339](#) (continued in force for certain purposes by S.I. [2000/774](#) and [2001/916](#)); the relevant amending instrument is S.I. [2001/617](#).

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Commencement Information

I112 Sch. para. 109 in force at 1.4.2005, see [art. 1](#)

110. In regulation 89(a), for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

Commencement Information

I113 Sch. para. 110 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I112 Sch. para. 109 in force at 1.4.2005, see [art. 1](#)

I113 Sch. para. 110 in force at 1.4.2005, see [art. 1](#)

Legal Advice and Assistance Regulations 1989(40) **E+W**

111. In regulation 31(1), for “justices' chief executive” (in the first place) substitute “designated officer for the magistrates' court” and for “justices' chief executive” (in the second place) substitute “designated officer”.

Commencement Information

I114 Sch. para. 111 in force at 1.4.2005, see [art. 1](#)

112. In paragraphs 2 and 4 of Schedule 5, for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I115 Sch. para. 112 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I114 Sch. para. 111 in force at 1.4.2005, see [art. 1](#)

I115 Sch. para. 112 in force at 1.4.2005, see [art. 1](#)

Legal Aid in Criminal and Care Proceedings (General) Regulations 1989(41) **E+W**

113. In regulation 3(1), omit the definition of “justices' chief executive” and after the definition of “the Crime Franchise Panel” insert the following definition:

(40) S.I. 1989/340 (continued in force for certain purposes by S.I. 2000/774 and 2001/916); the relevant amending instrument is S.I. 2001/829.

(41) S.I. 1989/344 (continued in force for certain purposes by S.I. 2000/774 and 2001/916); the relevant amending instruments are S.I. 1998/2909 and 2001/616.

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“designated officer” includes a person duly authorised by the designated officer of a magistrates' court to act on his behalf to the extent that he is so authorised’.

Commencement Information

I116 Sch. para. 113 in force at 1.4.2005, see [art. 1](#)

114. In regulations 16(1), 17(4)(b) and 18 (1)(b), (c), (d) and (f), for “justices' chief executive of” substitute “designated officer for”.

Commencement Information

I117 Sch. para. 114 in force at 1.4.2005, see [art. 1](#)

115. In regulations 12(1) (in the first place), 13 (in the first place), 15(1), 17(3) (in the first place), 19(1) (in the first place), 20 (in the first place), 40(1A) and 51(4)(b) and (c), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I118 Sch. para. 115 in force at 1.4.2005, see [art. 1](#)

116. In regulations 11 (in each place), 14(1), (3), (4) and (7), 18(1) (in the last place) and (3), 19(1) (in the second and third places) and 20 (in the second place), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I119 Sch. para. 116 in force at 1.4.2005, see [art. 1](#)

117. For “justices' chief executive” in other places in these Regulations substitute “designated officer”.

Commencement Information

I120 Sch. para. 117 in force at 1.4.2005, see [art. 1](#)

118. In Schedule 2, for “Justices' Chief Executive” (in each place) substitute “Designated Officer for the Court”.

Commencement Information

I121 Sch. para. 118 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I116 Sch. para. 113 in force at 1.4.2005, see [art. 1](#)

I117 Sch. para. 114 in force at 1.4.2005, see [art. 1](#)

I118 Sch. para. 115 in force at 1.4.2005, see [art. 1](#)

I119 Sch. para. 116 in force at 1.4.2005, see [art. 1](#)

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I120 Sch. para. 117 in force at 1.4.2005, see [art. 1](#)

I121 Sch. para. 118 in force at 1.4.2005, see [art. 1](#)

Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(42) **E+W**

119. In regulation 21, omit paragraphs (1) and (1A).

Commencement Information

I122 Sch. para. 119 in force at 1.4.2005, see [art. 1](#)

120. In regulation 23(4), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I123 Sch. para. 120 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I122 Sch. para. 119 in force at 1.4.2005, see [art. 1](#)

I123 Sch. para. 120 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Extradition) Rules 1989(43) **E+W**

121. In rule 4(1), for “justices' chief executive” substitute “designated officer for the court” and in rule 4(4), for “justices' chief executive” (in both places) substitute “designated officer”.

Commencement Information

I124 Sch. para. 121 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Social Security Act 1986) (Transfer of Orders to Maintain and Enforcement of Maintenance Orders) Rules 1990(44) **E+W**

122. In rule 3(b), for “justices' chief executive” substitute “designated officer for the court” and in rule 4, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I125 Sch. para. 122 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Criminal Justice (International Co-operation)) Rules 1991(45) **E+W**

123. In rules 3, 7 and 9(1) and (4), for “justices' chief executive” substitute “designated officer for the court”.

(42) S.I. 1989/1058; the relevant amending instruments are S.I. 1993/616, 1996/675, 2001/362 and 2001/1076.

(43) S.I. 1989/1597; the relevant amending instrument is S.I. 2001/615.

(44) S.I. 1990/1909, amended by S.I. 2001/615.

(45) S.I. 1991/1074; amended by S.I. 2001/615.

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Commencement Information

I126 Sch. para. 123 in force at 1.4.2005, see [art. 1](#)

124. In rule 5, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I127 Sch. para. 124 in force at 1.4.2005, see [art. 1](#)

125. In rule 6(1), omit “petty-sessional”.

Commencement Information

I128 Sch. para. 125 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I126 Sch. para. 123 in force at 1.4.2005, see [art. 1](#)

I127 Sch. para. 124 in force at 1.4.2005, see [art. 1](#)

I128 Sch. para. 125 in force at 1.4.2005, see [art. 1](#)

Family Proceedings Rules 1991(46) **E+W**

126. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I129 Sch. para. 126 in force at 1.4.2005, see [art. 1](#)

127. In rule 4.22(2A)(a), for “petty sessions area or London commission area” substitute “local justice area”.

Commencement Information

I130 Sch. para. 127 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I129 Sch. para. 126 in force at 1.4.2005, see [art. 1](#)

I130 Sch. para. 127 in force at 1.4.2005, see [art. 1](#)

(46) S.I. [1991/1247](#); the relevant amending instrument is S.I. [1992/2067](#).

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Family Proceedings Courts (Children Act 1989) Rules 1991(47) **E+W**

128. In these Rules, for “justices' chief executive” (in each place except rule 1(2)) substitute “designated officer for the court”.

Commencement Information

I131 Sch. para. 128 in force at 1.4.2005, see [art. 1](#)

129. In rule 1(2)—

- (a) in the definition of “file”, for “justices chief executive” substitute “designated officer for a magistrates' court”; and
- (b) omit the definition of “justices' chief executive”.

Commencement Information

I132 Sch. para. 129 in force at 1.4.2005, see [art. 1](#)

130. In rule 21H(1), for “petty sessions area” substitute “local justice area”.

Commencement Information

I133 Sch. para. 130 in force at 1.4.2005, see [art. 1](#)

131. In rule 32(2), for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I134 Sch. para. 131 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I131 Sch. para. 128 in force at 1.4.2005, see [art. 1](#)

I132 Sch. para. 129 in force at 1.4.2005, see [art. 1](#)

I133 Sch. para. 130 in force at 1.4.2005, see [art. 1](#)

I134 Sch. para. 131 in force at 1.4.2005, see [art. 1](#)

Family Proceedings Courts (Constitution) Rules 1991(48) **E+W**

132. In rule 2—

- (a) in paragraph (1), omit the definition of “commission area” and before the definition of “panel” insert the following definition:
 “local justice area” has the same meaning as in the Courts Act 2003 (c. 39);’; and
- (b) In paragraph (2), for “petty sessions area” substitute “local justice area” and for “who ordinarily acts in and for” substitute “assigned to”.

(47) S.I. [1991/1395](#); the relevant amending instruments are S.I. [1991/1991](#), [1992/2068](#), [1994/2166](#), [1994/3156](#), [1997/1895](#), [2001/615](#) and [2001/818](#).

(48) S.I. [1991/1405](#), amended by S.I. [2000/1873](#), [2001/615](#) and [2003/3367](#).

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Commencement Information

I135 Sch. para. 132 in force at 1.4.2005, see [art. 1](#)

133. In rule 3, for “Greater London Commission Area” substitute “Greater London”.

Commencement Information

I136 Sch. para. 133 in force at 1.4.2005, see [art. 1](#)

134. In rule 4—

(a) after paragraph (2) insert the following paragraph:

“(2A) In respect of the next meeting to be held after 1st April 2005 as provided in paragraph (2) above and in every third year thereafter, that paragraph shall have effect as if the reference to “each petty sessions area” were a reference to “each local justice area” and a panel in being on that date shall have effect as the panel for the local justice area corresponding (in accordance with the first order made under section 8 of the Courts Act 2003) to the petty sessions area for which it was formed.”; and

(b) in paragraphs (3) and (4), for “petty sessions area” substitute “local justice area”.

Commencement Information

I137 Sch. para. 134 in force at 1.4.2005, see [art. 1](#)

135. In rule 5—

(a) in paragraph (1)—

(i) in subparagraph (a) for “of the petty sessions area” substitute “for the local justice area”; and

(ii) at the end of subparagraph (b) after the semi-colon insert “and” and for subparagraphs (c) and (d) substitute:

“(c) he has indicated that he is willing to serve as a member of the panel.”;

(b) in paragraph (3), for “petty sessions area or areas which is situated in the commission area or areas to which he is appointed” substitute “local justice area or areas in which he acts as a justice of the peace”.

Commencement Information

I138 Sch. para. 135 in force at 1.4.2005, see [art. 1](#)

136. In rule 6, for “petty sessions area” substitute “local justice area”.

Commencement Information

I139 Sch. para. 136 in force at 1.4.2005, see [art. 1](#)

137. In rule 7—

(a) omit paragraph (1);

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- (b) for paragraph (2) substitute the following paragraph:
- “(2) A designated officer for one local justice area (“the first local justice area”) may make a request to the designated officer for another local justice area (“the second local justice area”) for the temporary transfer of one or more justices from the panel for the second local justice area to the panel for the first local justice area for the purpose of hearing family proceedings specified in the request.”;
- (c) in paragraph (3), for “justices' chief executive for the second commission area” substitute “designated officer for the second local justice area”;
- (d) in paragraph (4), for “justices' chief executive” substitute “designated officer”;
- (e) in paragraph (5), for “petty sessions area” substitute “local justice area”; and
- (f) In paragraph (6), for “a petty sessions area in a different commission area if the Lord Chancellor appoints the justice nominated for the transfer to the commission area within which the petty sessions area falls” substitute “another local justice area if the justice nominated for the transfer is assigned to that area by the Lord Chancellor”.

Commencement Information

I140 Sch. para. 137 in force at 1.4.2005, see [art. 1](#)

138. In rule 8(2) and in rule 9(1), for “justices' chief executive” substitute “designated officer for the local justice area”.

Commencement Information

I141 Sch. para. 138 in force at 1.4.2005, see [art. 1](#)

139. In rule 11—

- (a) for paragraph (2) substitute the following paragraph:
- “(2) The Lord Chancellor may make a direction for the formation or dissolution of a combined panel in respect of two or more local justice areas.”;
- (b) after paragraph (2) insert the following paragraph:
- “(2A) A combined panel in being on 1st April 2005 shall have effect as the combined panel for the local justice areas corresponding to the petty sessions areas for which it was formed.”;
- (c) in paragraph (3)—
- (i) for “magistrates' courts committee” substitute “Lord Chancellor”;
- (ii) for “petty sessions area specified in the direction for which it acts” substitute “local justice area specified in the direction”;
- (d) in paragraph (4), for “petty sessions area” substitute “local justice area”;
- (e) omit paragraphs (5) and (8);
- (f) in paragraph (6)(a), for “magistrates' courts committee” substitute “Lord Chancellor” and in that paragraph and in paragraphs (6)(b), (11) and (12), for “petty sessions areas” substitute “local justice areas”;
- (g) for paragraph (7) substitute the following paragraph:
- “(7) A direction for the formation or dissolution of a combined family panel under paragraph (2) shall have effect on 1st January in the year following the next October

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meeting of the justices for each of the areas concerned held in accordance with rules made under section 17 of the Courts Act 2003 for the purpose of electing a chairman of the justices.”

- (h) in paragraph (9)—
 - (i) for “A magistrates' courts committee which has made a direction for the formation of a combined panel may” substitute “Where the Lord Chancellor has made a direction for the formation of a combined panel he may”; and
 - (ii) for “petty sessions area or petty sessions areas” substitute “local justice area or local justice areas”; and
- (i) in paragraph (10), omit the words from “or, in the case of a direction” to the end.

Commencement Information

I142 Sch. para. 139 in force at 1.4.2005, see [art. 1](#)

140. In rule 12—

- (a) in paragraph (1)—
 - (i) for “a magistrates' courts committee” substitute “the Lord Chancellor”;
 - (ii) for “petty sessions area” substitute “local justice area”;
 - (iii) for “petty sessions areas” substitute “local justice areas”; and
 - (iv) omit “rule 4(1) or, where that term has expired,”.
- (b) for paragraph (2) substitute the following paragraph:

“(2) The meeting referred to in paragraph (1) shall be the meeting referred to in rule 11(7).”
- (c) in paragraph (3), for “5(1)(b) to (d)” substitute “5(1)(b) to (c)”
- (d) in paragraphs (4)(a), (b) and (c), for “petty sessions area” substitute “local justice area”; and
- (e) in paragraph (4)(d), for “petty sessions areas” (in both places) substitute “local justice areas”.

Commencement Information

I143 Sch. para. 140 in force at 1.4.2005, see [art. 1](#)

141. In rule 13—

- (a) in paragraph (1)—
 - (i) for “a magistrates' courts committee” substitute “the Lord Chancellor”;
 - (ii) for “petty sessions area” (in both places) substitute “local justice area”; and
 - (iii) omit “rule 4(1) or, where that term has expired,”; and
- (b) for paragraph (2) substitute the following paragraph:

“(2) The meeting referred to in paragraph (1) shall be the meeting of justices referred to in rule 11(7).”.

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Commencement Information

I144 Sch. para. 141 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I135 Sch. para. 132 in force at 1.4.2005, see [art. 1](#)

I136 Sch. para. 133 in force at 1.4.2005, see [art. 1](#)

I137 Sch. para. 134 in force at 1.4.2005, see [art. 1](#)

I138 Sch. para. 135 in force at 1.4.2005, see [art. 1](#)

I139 Sch. para. 136 in force at 1.4.2005, see [art. 1](#)

I140 Sch. para. 137 in force at 1.4.2005, see [art. 1](#)

I141 Sch. para. 138 in force at 1.4.2005, see [art. 1](#)

I142 Sch. para. 139 in force at 1.4.2005, see [art. 1](#)

I143 Sch. para. 140 in force at 1.4.2005, see [art. 1](#)

I144 Sch. para. 141 in force at 1.4.2005, see [art. 1](#)

Family Proceedings Courts (Matrimonial Proceedings etc) Rules 1991(49) **E+W**

142. In the definition of “file” in rule 2(1) and in rule 3(2) (in the first place), for “justices' chief executive” substitute “designated officer for a magistrates' court”.

Commencement Information

I145 Sch. para. 142 in force at 1.4.2005, see [art. 1](#)

143. In these Rules (except rules 2(1) and 3(2)), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I146 Sch. para. 143 in force at 1.4.2005, see [art. 1](#)

144. In rule 15(2), for “Magistrates' Courts Committee” substitute “Lord Chancellor”.

Commencement Information

I147 Sch. para. 144 in force at 1.4.2005, see [art. 1](#)

145. In rule 22(2)(a)(ii), for “acting for the same petty sessions area” substitute “acting in the same local justice area”.

Commencement Information

I148 Sch. para. 145 in force at 1.4.2005, see [art. 1](#)

146. In Forms 7 and FL 416 in Schedule 1, for “Justices' Chief Executive” substitute “Designated Officer for the Court”.

(49) S.I. [1991/1991](#); the relevant amending instruments are S.I. [1997/1894](#), [2001/615](#) and [2001/778](#).

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Commencement Information

I149 Sch. para. 146 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I145 Sch. para. 142 in force at 1.4.2005, see [art. 1](#)

I146 Sch. para. 143 in force at 1.4.2005, see [art. 1](#)

I147 Sch. para. 144 in force at 1.4.2005, see [art. 1](#)

I148 Sch. para. 145 in force at 1.4.2005, see [art. 1](#)

I149 Sch. para. 146 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Costs Against Legal Representatives in Civil Proceedings) Rules 1991(50) **E+W**

147. In rule 2(5), (6) and (8), for “justices' chief executive” substitute “designated officer for the magistrates' court”.

Commencement Information

I150 Sch. para. 147 in force at 1.4.2005, see [art. 1](#)

148. In rule 3(4), (5) and (6), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I151 Sch. para. 148 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I150 Sch. para. 147 in force at 1.4.2005, see [art. 1](#)

I151 Sch. para. 148 in force at 1.4.2005, see [art. 1](#)

Immigration (Isle of Man) Order 1991(51) **E+W**

149. In Part I of Schedule 1, for subparagraph (f) of paragraph 21 substitute the following subparagraph:

- “(f) in paragraph 8(1)—
- (i) for the words “England or Wales”, where it first occurs, substitute “the Isle of Man”; and
 - (ii) omit the words from “in England or Wales” to the end;”

(50) S.I. [1991/2096](#), amended by S.I. [2001/615](#).

(51) S.I. [1991/2630](#); the amending instruments are not relevant. Paragraph 8(1) of Schedule 3 to the Immigration Act [1971 \(c. 77\)](#) is amended by paragraph 150(4) of Schedule 8 to the Courts Act [2003 \(c. 39\)](#).

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Commencement Information

I152 Sch. para. 149 in force at 1.4.2005, see [art. 1](#)

Magistrates Courts (Remands in Custody) Order 1991(52) **E+W**

150. In article 2, for the words from “those petty sessions areas” to the end substitute “local justice areas, within the meaning of the Courts Act 2003”.

Commencement Information

I153 Sch. para. 150 in force at 1.4.2005, see [art. 1](#)

Council Tax (Administration and Enforcement) Regulations 1992(53) **E+W**

151. In regulation 53, omit paragraphs (1) and (1A).

Commencement Information

I154 Sch. para. 151 in force at 1.4.2005, see [art. 1](#)

152. In regulation 57(3), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I155 Sch. para. 152 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I154 Sch. para. 151 in force at 1.4.2005, see [art. 1](#)

I155 Sch. para. 152 in force at 1.4.2005, see [art. 1](#)

Crown Office (Forms and Proclamations Rules) Order 1992(54) **E+W**

153. In the table in article 2(2), for “Forms A to D in Part II” (in respect of Commissions of the Peace) substitute “Forms A and D in Part II”.

Commencement Information

I156 Sch. para. 153 in force at 1.4.2005, see [art. 1](#)

154. In Part II of the Schedule—

- (a) omit Form B; and
- (b) for the heading to Form A (Commissions of the Peace: England (outside London) and Wales) substitute the following heading

(52) S.I. [1991/2667](#), amended by S.I. [1997/35](#).

(53) S.I. [1992/613](#); the relevant amending instruments are S.I. [1996/675](#), [2001/362](#) and [2001/1076](#).

(54) S.I. [1992/1730](#); the relevant amending instruments are S.I. [1996/276](#) and [2000/3064](#).

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“Commission of the Peace: England and Wales”;
and in that form, for “the commission area of” and “the said commission area” (in each place) substitute “England and Wales”.

Commencement Information

I157 Sch. para. 154 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I156 Sch. para. 153 in force at 1.4.2005, see [art. 1](#)

I157 Sch. para. 154 in force at 1.4.2005, see [art. 1](#)

Child Support (Information, Evidence and Disclosure) Regulations 1992(**55**) **E+W**

155. In regulation 2(3)(a), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I158 Sch. para. 155 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Attendance Centre) Rules 1992(**56**) **E+W**

156. In rule 3(1)(a), (3) and (4), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I159 Sch. para. 156 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Notice of Transfer) (Children's Evidence) Rules 1992(**57**) **E+W**

157. In rules 3, 4 and 6, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I160 Sch. para. 157 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Children and Young Persons) Rules 1992(**58**) **E+W**

158. In rules 14(1) and 27(1)(a), (3) and (4), for “justices' chief executive” substitute “designated officer”.

(55) S.I. [1992/1812](#); the relevant amending instrument is S.I. [2001/161](#).

(56) S.I. [1992/2069](#); the relevant amending instrument is S.I. [2001/615](#).

(57) S.I. [1992/2070](#); the relevant amending instrument is S.I. [2001/615](#).

(58) S.I. [1992/2071](#); the relevant amending instrument is S.I. [2001/615](#).

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Commencement Information

I161 Sch. para. 158 in force at 1.4.2005, see [art. 1](#)

Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992(59) **E+W**

159. In regulations 5(4)(a)(iii) and 6(2)(a)(iii), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I162 Sch. para. 159 in force at 1.4.2005, see [art. 1](#)

Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993(60) **E+W**

160. In Schedule 3 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 2 of the Order)—

- (a) in section 8 (enforcement of maintenance order registered in United Kingdom court)—
 - (i) in subsection (3A), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980(61) (“the 1980 Act”), in subsection (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;
- (b) in section 9(1ZA) (variation of maintenance order registered in United Kingdom court)—
 - (a) in paragraphs (a) and (b) (in the subsection (3A) inserted, and the subsection (4)(b) substituted, in section 60 of the 1980 Act), for “a justices' chief executive” (in each place) substitute “the designated officer for the court or for any other magistrates' court”; and
 - (b) in paragraph (c), for “to the clerk” (substituted in subsection (5) of section 60 of the 1980 Act) substitute “to the designated officer for the court”.
- (c) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, acting for the same petty sessions district”;
- (d) in section 18 (magistrates' courts rules)—
 - (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to—” and in that paragraph, for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (e) in the definition of “prescribed” in section 21(1) omit—

(59) S.I. 1992/2645; the relevant amending instrument is S.I. 2001/161.

(60) S.I. 1993/593, amended by S.I. 2001/410. Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18) are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003.

(61) 1980 c. 43.

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (i) “in England and Wales or”,
- (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
- (iii) “as the case may be”.

Commencement Information

I163 Sch. para. 160 in force at 1.4.2005, see [art. 1](#)

Reciprocal Enforcement of Maintenance Orders (Republic of Ireland) Order 1993(62) **E+W**

161. In Schedule 2 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 1)—

- (a) in section 8 (enforcement of maintenance order registered in United Kingdom court)—
 - (i) in subsection (3A)(a), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980), in subsections (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;
- (b) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, for the same petty sessions district”;
- (c) in section 18 (magistrates' courts rules)—
 - (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to—”, and in that paragraph for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (d) in the definition of “prescribed” in section 21(1) (interpretation of Part I) omit—
 - (i) “in England and Wales or”,
 - (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
 - (iii) “as the case may be”.

Commencement Information

I164 Sch. para. 161 in force at 1.4.2005, see [art. 1](#)

Family Proceedings Courts (Child Support Act 1991) Rules 1993(63) **E+W**

162. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer for the court”.

(62) S.I. [1993/594](#), amended by S.I. [2001/410](#). Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18) are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003 (c. 39).

(63) S.I. [1993/627](#); the relevant amending instrument is S.I. [2001/615](#).

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I165 Sch. para. 162 in force at 1.4.2005, see [art. 1](#)

Reciprocal Enforcement of Maintenance Orders (United States of America) Order 1995(64) **E** **+W**

163. In Schedule 3 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 applied as modified by Schedule 2 of the Order)—

- (a) in section 8 (enforcement of maintenance orders registered in United Kingdom court)—
 - (i) in subsection (3A)(a), for “justices' chief executive” substitute “designated officer”; and
 - (ii) in subsection (4A) (in the provisions substituted in section 76 of the Magistrates' Courts Act 1980 (“the 1980 Act”)), in subsection (5)(a) and (b), for “a justices' chief executive” substitute “the designated officer for the court or for any other magistrates' court”;
- (b) in section 9(1ZA) (variation of maintenance order registered in United Kingdom court)—
 - (i) in paragraph (a) (in the subsection (3A) inserted, and in subsection (4)(b) substituted, in section 60 of the 1980 Act), for “a justices' chief executive” (in each place) substitute “the designated officer for the court or for any other magistrates' court”; and
 - (ii) in paragraph (c), for “to the clerk” (substituted in subsection (5) of section 60 of the 1980 Act) substitute “to the designated officer for the court”;
- (c) in section 17(4) (proceedings in magistrates' courts), for “acting for the same petty sessions area (or, in Northern Ireland, petty sessions district” substitute “acting in the same local justice area (or, in Northern Ireland, acting for the same petty sessions district”;
- (d) in section 18 (magistrates' courts rules)—
 - (i) in subsection (1), for the words preceding paragraph (a) substitute “Rules of court may make provision with respect to”; and in that paragraph, for “acting for a particular petty sessions area” substitute “acting in a particular local justice area” and for “acting for such other petty sessions area” substitute “acting in such other local justice area”; and
 - (ii) in subsection (1A), for “rules made under section 144 of the Magistrates' Courts Act 1980” substitute “rules of court”; and
- (e) in the definition of “prescribed” in section 21(1) (interpretation of Part I), omit—
 - (i) “in England and Wales or”,
 - (ii) “by rules made under section 144 of the Magistrates' Courts Act 1980 or”, and
 - (iii) “as the case may be”.

Commencement Information

I166 Sch. para. 163 in force at 1.4.2005, see [art. 1](#)

(64) S.I. 1995/2709, amended by S.I. 2001/410. Sections 8, 9, 17, 18 and 21 of the Maintenance Orders (Reciprocal Enforcement) Act 1972 are amended by paragraphs 152 to 156 of Schedule 8 to the Courts Act 2003.

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United Nations (International Tribunal) (Former Yugoslavia) Order 1996(65) **E+W**

164. In article 7(2)(c) and (d), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I167 Sch. para. 164 in force at 1.4.2005, see [art. 1](#)

165. In article 14(2), for “Justices' Chief Executive” substitute “Designated Officer”.

Commencement Information

I168 Sch. para. 165 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I167 Sch. para. 164 in force at 1.4.2005, see [art. 1](#)

I168 Sch. para. 165 in force at 1.4.2005, see [art. 1](#)

United Nations (International Tribunal) (Rwanda) Order 1996(66) **E+W**

166. In article 7(2)(c) and (d), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I169 Sch. para. 166 in force at 1.4.2005, see [art. 1](#)

167. In article 14(2), for “Justices' Chief Executive” substitute “Designated Officer”.

Commencement Information

I170 Sch. para. 167 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I169 Sch. para. 166 in force at 1.4.2005, see [art. 1](#)

I170 Sch. para. 167 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules 1997(67) **E+W**

168. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

(65) S.I. [1996/716](#); the relevant amending instrument is S.I. [2000/3243](#).

(66) S.I. [1996/1296](#); the relevant amending instrument is S.I. [2000/3243](#).

(67) S.I. [1997/703](#), amended by S.I. [2001/615](#).

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Commencement Information

I171 Sch. para. 168 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules 1997(68) **E+W**

169. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I172 Sch. para. 169 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules 1997(69) **E+W**

170. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I173 Sch. para. 170 in force at 1.4.2005, see [art. 1](#)

Fire Precautions (Workplace) Regulations 1997(70) **E+W**

171. In regulation 14(5)(a), omit “acting for the petty sessions area in which any relevant workplace is situated”.

Commencement Information

I174 Sch. para. 171 in force at 1.4.2005, see [art. 1](#)

Local Education Authority (Behaviour Support Plans) Regulations 1998(71) **E+W**

172. In regulation 3(2)(n), for “justices' chief executive for each petty sessions area within the meaning of the Justices of the Peace Act 1997” substitute “designated officer for each local justice area within the meaning of the Courts Act 2003”.

Commencement Information

I175 Sch. para. 172 in force at 1.4.2005, see [art. 1](#)

(68) S.I. [1997/704](#), amended by S.I. [2001/615](#).

(69) S.I. [1997/1055](#); the relevant amending instrument is S.I. [2001/615](#).

(70) S.I. [1997/1840](#); the amending instruments are not relevant.

(71) S.I. [1998/644](#); the relevant amending instruments are S.I. [2001/606](#) and [2001/828](#).

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Crime and Disorder Strategies (Prescribed Descriptions) Order 1998(72) **E+W**

173. In article 3(2)(g), for “a magistrates' courts committee for an area any part of which is within that area” substitute “the Lord Chancellor”.

Commencement Information

I176 Sch. para. 173 in force at 1.4.2005, see [art. 1](#)

Transfer of Prisoners (Restricted Transfers) (Channel Islands and Isle of Man) Order 1998(73) **E+W**

174. In paragraphs 5(6), 6(6) and 7(6) of Schedule 1, for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I177 Sch. para. 174 in force at 1.4.2005, see [art. 1](#)

Civil Procedure Rules 1998(74) **E+W**

175. In Schedule 1, in RSC Order 79, paragraphs (6)(b), (8)(b) and (10)(b) of rule 9, RSC Order 109, paragraph (5) of rule 4 and RSC Order 116, paragraph (14)(a) of rule 10, for “justices chief executive” substitute “designated officer”.

Commencement Information

I178 Sch. para. 175 in force at 1.4.2005, see [art. 1](#)

176. In Schedule 2, in CCR Order 27—

- (a) paragraph (1)(b) of rule 4, for “justices' chief executive” and “chief executive” substitute “designated officer”; and
- (b) paragraph (3) of rule 10, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I179 Sch. para. 176 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I178 Sch. para. 175 in force at 1.4.2005, see [art. 1](#)

I179 Sch. para. 176 in force at 1.4.2005, see [art. 1](#)

(72) S.I. [1998/2452](#); the amending instruments are not relevant.

(73) S.I. [1998/2798](#).

(74) S.I. [1998/3132](#); the relevant amending instrument is S.I. [2001/256](#).

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999(75) **E+W**

177. In rules 3(1) and 4(2)(a), (3)(b) and (4), for “justices' chief executive” substitute “designated officer for the court” and in rule 4(5), for “justices' chief executive's” substitute “designated officer's”.

Commencement Information

I180 Sch. para. 177 in force at 1.4.2005, see [art. 1](#)

Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999(76) **E+W**

178. In paragraphs 9 and 10(2) and (3) of Schedule 3, for “petty sessions area” substitute “local justice area”.

Commencement Information

I181 Sch. para. 178 in force at 1.4.2005, see [art. 1](#)

Sea Fishing (Enforcement of Community Control Measures) Order 2000(77) **E+W**

179. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I182 Sch. para. 179 in force at 1.4.2005, see [art. 1](#)

Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2000(78) **E+W**

180. In article 6(4), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I183 Sch. para. 180 in force at 1.4.2005, see [art. 1](#)

Contaminated Land (England) Regulations 2000(79) **E+W**

181. In regulation 8(6), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I184 Sch. para. 181 in force at 1.4.2005, see [art. 1](#)

(75) S.I. [1999/681](#), amended by S.I. [2001/615](#).

(76) S.I. [1999/1748](#); the relevant amending instruments are not relevant.

(77) S.I. [2000/51](#); the amending instruments are not relevant.

(78) S.I. [2000/181](#); the amending instruments are not relevant.

(79) S.I. [2000/227](#); the relevant amending instrument is S.I. [2001/663](#).

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

*Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000***(80)** **E+W**

182. In regulation 10(11), omit “acting for the petty sessions area in which the applicant for the disabled person’s badge resides”.

Commencement Information

I185 Sch. para. 182 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) Order 2000***(81)** **E+W**

183. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I186 Sch. para. 183 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000***(82)** **E+W**

184. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I187 Sch. para. 184 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000***(83)** **E+W**

185. Article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I188 Sch. para. 185 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2000***(84)** **E+W**

186. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I189 Sch. para. 186 in force at 1.4.2005, see [art. 1](#)

(80) S.I. [2000/682](#); the amending instrument is not relevant.
(81) S.I. [2000/827](#), amended by S.I. [2000/2008](#) and [2001/1631](#).
(82) S.I. [2000/976](#).
(83) S.I. [2000/1075](#), amended by S.I. [2003/559](#).
(84) S.I. [2000/1078](#), amended by S.I. [2002/677](#).

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

*Sea Fishing (Enforcement of Community Conservation Measures) Order 2000***(85)** **E+W**

187. In article 5(4), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I190 Sch. para. 187 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2000***(86)** **E+W**

188. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I191 Sch. para. 188 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (North-East Atlantic Control Measures) Order 2000***(87)** **E+W**

189. In article 6(4), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I192 Sch. para. 189 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000***(88)** **E+W**

190. In article 5(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I193 Sch. para. 190 in force at 1.4.2005, see [art. 1](#)

*Local Probation Boards (Appointment) Regulations 2000***(89)** **E+W**

191. In regulation 5(2), for “a commission area falling” substitute “one or more local justice areas falling wholly or partly”.

Commencement Information

I194 Sch. para. 191 in force at 1.4.2005, see [art. 1](#)

(85) S.I. [2000/1081](#), amended by S.I. [2002/426](#) and [2002/794](#).

(86) S.I. [2000/1096](#).

(87) S.I. [2000/1843](#).

(88) S.I. [2000/2230](#).

(89) S.I. [2000/3342](#); the amending instrument is not relevant.

Status: Point in time view as at 01/04/2005.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Curfew Order and Curfew Requirement (Responsible Officer) Order 2001(90) **E+W**

192. In the definition of “officer of the local probation board” in article 2, for “petty sessions area” substitute “local justice area”.

Commencement Information

I195 Sch. para. 192 in force at 1.4.2005, see [art. 1](#)

Race Relations Act 1976 (Statutory Duties) Order 2001(91) **E+W**

193. In Schedule 1, omit “A magistrates' courts committee established under section 27 of the Justices of the Peace Act 1997.”

Commencement Information

I196 Sch. para. 193 in force at 1.4.2005, see [art. 1](#)

Civil Jurisdiction and Judgments Order 2001(92) **E+W**

194. In Schedule 1—

- (a) in paragraph 1(4), for “acting for the same petty sessions area” substitute “acting in the same local justice area” and after “Northern Ireland,” insert “acting for the same”; and
- (b) in paragraph 3(8)(a), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I197 Sch. para. 194 in force at 1.4.2005, see [art. 1](#)

Regulatory Reform (Special Occasions Licensing) Order 2001(93) **E+W**

195. In article 6(1), for “chief executive to” substitute “designated officer for”.

Commencement Information

I198 Sch. para. 195 in force at 1.4.2005, see [art. 1](#)

196. In article 7(2), for “justices' chief executive” substitute “designated officer for the licensing justices”.

Commencement Information

I199 Sch. para. 196 in force at 1.4.2005, see [art. 1](#)

(90) S.I. [2001/2234](#); the amending instrument is not relevant.

(91) S.I. [2001/3458](#); the amending instruments are not relevant.

(92) S.I. [2001/3929](#).

(93) S.I. [2001/3937](#); the amending instruments are not relevant.

Status: Point in time view as at 01/04/2005.

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Commencement Information

I198 Sch. para. 195 in force at 1.4.2005, see [art. 1](#)

I199 Sch. para. 196 in force at 1.4.2005, see [art. 1](#)

Goods Vehicles (Enforcement Powers) Regulations 2001(94) **E+W**

197. In regulation 19, for paragraph (5) substitute the following paragraph:

“(5) In paragraph (4), “appropriate court” means—

- (a) in England and Wales, a magistrates' court, or
- (b) in Scotland, the sheriff court in the sheriffdom—
 - (i) in which the claimant resides (in the case of an individual);
 - (ii) where the principal or last known place of business of the claimant is situated (in the case of a partnership); or
 - (iii) where the registered or principal office of the claimant is situated (in the case of an incorporated or unincorporated body).”.

Commencement Information

I200 Sch. para. 197 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) (No. 2) Rules 2001(95) **E+W**

198. In rule 4(1), for “petty sessions area” substitute “local justice area”.

Commencement Information

I201 Sch. para. 198 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Special Measures Directions) Rules 2002(96) **E+W**

199. In these Rules, for “justices' chief executive” (in each place) substitute “designated officer”.

Commencement Information

I202 Sch. para. 199 in force at 1.4.2005, see [art. 1](#)

Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002(97) **E+W**

200. In the Schedule—

- (a) for “Justices' Chief Executive” in the first place in Parts I and Part II substitute “Designated Officer”; and

(94) S.I. 2001/3981.

(95) S.I. 2001/4013; the amending instrument is not relevant.

(96) S.I. 2002/1687; the amending instrument is not relevant.

(97) S.I. 2002/1838, amended by S.I. 2004/3169.

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- (b) for other references to “Justices' Chief Executive” substitute “Designated officer for the Court”.

Commencement Information

I203 Sch. para. 200 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Anti-Social Behaviour Orders) Rules 2002(98) **E+W**

201. In rule 6—

- (a) in paragraph (2), for “petty sessions area” substitute “local justice area”;
- (b) in paragraph (4), for “justices' chief executive” substitute “designated officer for the court”; and
- (c) in paragraph (5), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I204 Sch. para. 201 in force at 1.4.2005, see [art. 1](#)

202. In rule 7(2), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I205 Sch. para. 202 in force at 1.4.2005, see [art. 1](#)

203. In rule 8(2), for “magistrates' courts committee” substitute “Lord Chancellor”.

Commencement Information

I206 Sch. para. 203 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I204 Sch. para. 201 in force at 1.4.2005, see [art. 1](#)

I205 Sch. para. 202 in force at 1.4.2005, see [art. 1](#)

I206 Sch. para. 203 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Detention and Forfeiture of Cash) Rules 2002(99) **E+W**

204. In rules 4(1) and (2), 6(1), 7(2)(a) and (b), 8(1) and 10(2) and (6)(b) and (d), for “justices' chief executive for the petty sessions area” substitute “designated officer for the local justice area”.

Commencement Information

I207 Sch. para. 204 in force at 1.4.2005, see [art. 1](#)

(98) S.I. [2002/2784](#); the amending instrument is not relevant.

(99) S.I. [2002/2998](#); the relevant amending instrument is S.I. [2003/638](#).

Status: Point in time view as at 01/04/2005.

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205. In rules 4(9), 5 (in each place), 6(2), (3) and (4), 7(1), (4) and (7), 8(2) and (3) (in both places), 10(3), (4), (6)(a), (b) (in the first place) and (d) (in the first place), 11(2) and Form A in the Schedule, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I208 Sch. para. 205 in force at 1.4.2005, see [art. 1](#)

206. In rule 10(1), (5) and (6)(c), for “petty sessions area” substitute “local justice area”.

Commencement Information

I209 Sch. para. 206 in force at 1.4.2005, see [art. 1](#)

207. Omit rule 12.

Commencement Information

I210 Sch. para. 207 in force at 1.4.2005, see [art. 1](#)

208. In Forms A and G in the Schedule, for “Justices' Chief Executive” substitute “Designated Officer”.

Commencement Information

I211 Sch. para. 208 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I207 Sch. para. 204 in force at 1.4.2005, see [art. 1](#)

I208 Sch. para. 205 in force at 1.4.2005, see [art. 1](#)

I209 Sch. para. 206 in force at 1.4.2005, see [art. 1](#)

I210 Sch. para. 207 in force at 1.4.2005, see [art. 1](#)

I211 Sch. para. 208 in force at 1.4.2005, see [art. 1](#)

Crown Court (Confiscation, Restraint and Receivership) Rules 2003(100) **E+W**

209. In rule 10—

- (a) in paragraph (1), for “a justices' chief executive” substitute “the designated officer for a magistrates' court”; and
- (b) in paragraph (5)(a), for “justices' chief executive” substitute “designated officer”.

Commencement Information

I212 Sch. para. 209 in force at 1.4.2005, see [art. 1](#)

210. In rule 26(6), for “justices' chief executive” substitute “designated officer”.

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Commencement Information

I213 Sch. para. 210 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I212 Sch. para. 209 in force at 1.4.2005, see [art. 1](#)

I213 Sch. para. 210 in force at 1.4.2005, see [art. 1](#)

Immigration and Asylum Act 1999 (Jersey) Order 2003(101) **E+W**

211. In the modification in the right-hand column of the Schedule of section 28K(10) of the Immigration Act 1971 as inserted in that Act by section 138 of the Immigration and Asylum Act 1999, for “justices' chief executive” substitute “designated officer”.

Commencement Information

I214 Sch. para. 211 in force at 1.4.2005, see [art. 1](#)

Sea Fishing (Restriction on Days at Sea) (No. 2) Order 2003(102) **E+W**

212. In article 13(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I215 Sch. para. 212 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Forfeiture of Political Donations) Rules 2003(103) **E+W**

213. In rule 1(2)(f), omit the definition of “relevant petty sessions area”.

Commencement Information

I216 Sch. para. 213 in force at 1.4.2005, see [art. 1](#)

214. In rule 2(1), for “justices' chief executive for the relevant petty sessions area” substitute “designated officer for a magistrates' court”.

Commencement Information

I217 Sch. para. 214 in force at 1.4.2005, see [art. 1](#)

215. In rule 3(1), for “petty sessions area” substitute “local justice area”.

(101) S.I. 2003/1252. Section 28K of the Immigration Act 1971 (c. 77) is amended by paragraph 148 of Schedule 8 to the Courts Act 2003 (c. 39).

(102) S.I. 2003/1535, amended by S.I. 2004/398.

(103) S.I. 2003/1645.

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Commencement Information

I218 Sch. para. 215 in force at 1.4.2005, see [art. 1](#)

216. In rules 3(2), 4(3) and (5) and 5(4), for “justices' chief executive” substitute “designated officer for the court”.

Commencement Information

I219 Sch. para. 216 in force at 1.4.2005, see [art. 1](#)

217. In the Schedule, for “Justices' Chief Executive” (in each place) substitute “Designated Officer”.

Commencement Information

I220 Sch. para. 217 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I216 Sch. para. 213 in force at 1.4.2005, see [art. 1](#)

I217 Sch. para. 214 in force at 1.4.2005, see [art. 1](#)

I218 Sch. para. 215 in force at 1.4.2005, see [art. 1](#)

I219 Sch. para. 216 in force at 1.4.2005, see [art. 1](#)

I220 Sch. para. 217 in force at 1.4.2005, see [art. 1](#)

Advanced Television Services Regulations 2003(104) **E+W**

218. In paragraph 8 of the Schedule—

- (a) in subparagraph (1), for “acting for” substitute “acting in” and for “petty sessions area” (in both places) substitute “local justice area”;
- (b) in subparagraph (3), for “acting for the relevant petty sessions area” substitute “acting in the relevant local justice area”;
- (c) in subparagraph (11), for “petty sessions area” substitute “local justice area”.

Commencement Information

I221 Sch. para. 218 in force at 1.4.2005, see [art. 1](#)

Immigration and Asylum Act 1999 (Guernsey) Order 2003(105) **E+W**

219. In the modification in the right-hand column of the Schedule of section 28K(10) of the Immigration Act 1971 as inserted in that Act by section 138 of the Immigration and Asylum Act 1999, for “justices' chief executive” substitute “designated officer”.

(104) S.I. 2003/1901.

(105) S.I. 2003/2900. Section 28K of the Immigration Act 1971 is amended by paragraph 148 of Schedule 8 to the Courts Act 2003.

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Commencement Information

I222 Sch. para. 219 in force at 1.4.2005, see [art. 1](#)

Family Proceedings Courts (Constitution) (Greater London) Rules 2003(106) **E+W**

220. In rules 1(2) and 4(4), for “the Greater London area” substitute “Greater London”.

Commencement Information

I223 Sch. para. 220 in force at 1.4.2005, see [art. 1](#)

221. In rule 2—

- (a) omit the definition of “Greater London commission area”; and
- (b) after the definition of “justice”, insert the following definition:
“local justice area” has the same meaning as in the Courts Act 2003’.

Commencement Information

I224 Sch. para. 221 in force at 1.4.2005, see [art. 1](#)

222. In rule 4, for paragraphs (1) to (3) substitute the following paragraphs:

“(2) There shall be one panel for Greater London formed of justices nominated from time to time by the Lord Chancellor in accordance with these Rules.

(3) Justices who form the first panel after 1st April 2005 shall serve for a term of three years commencing on 1st January in the year following the expiry of the term of the previous panel.”.

Commencement Information

I225 Sch. para. 222 in force at 1.4.2005, see [art. 1](#)

223. In rule 5(1)(a), for “acts for the Greater London area” substitute “acts in a local justice area in Greater London”.

Commencement Information

I226 Sch. para. 223 in force at 1.4.2005, see [art. 1](#)

224. Omit rule 9.

Commencement Information

I227 Sch. para. 224 in force at 1.4.2005, see [art. 1](#)

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Commencement Information

- I223** Sch. para. 220 in force at 1.4.2005, see [art. 1](#)
I224 Sch. para. 221 in force at 1.4.2005, see [art. 1](#)
I225 Sch. para. 222 in force at 1.4.2005, see [art. 1](#)
I226 Sch. para. 223 in force at 1.4.2005, see [art. 1](#)
I227 Sch. para. 224 in force at 1.4.2005, see [art. 1](#)

Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004(107) **E+W**

225. In article 3(2)(g), for “a magistrates' courts committee for an area any part of which is within that local government area” substitute “the Lord Chancellor”.

Commencement Information

- I228** Sch. para. 225 in force at 1.4.2005, see [art. 1](#)

Sea Fishing (Restriction on Days at Sea) Order 2004(108) **E+W**

226. In article 15(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

- I229** Sch. para. 226 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Foreign Travel Orders) Rules 2004(109) **E+W**

227. In rule 3(4), for “Justices' Chief Executive” substitute “designated officer for the court”.

Commencement Information

- I230** Sch. para. 227 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Notification Orders) Rules 2004(110) **E+W**

228. In rule 3(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

Commencement Information

- I231** Sch. para. 228 in force at 1.4.2005, see [art. 1](#)

Magistrates' Courts (Risk of Sexual Harm Orders) Rules 2004(111) **E+W**

229. In rule 3(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

(107) S.I. [2004/118](#); the amending instrument is not relevant.

(108) S.I. [2004/398](#).

(109) S.I. [2004/1051](#).

(110) S.I. [2004/1052](#).

(111) S.I. [2004/1053](#).

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Commencement Information

I232 Sch. para. 229 in force at 1.4.2005, see [art. 1](#)

*Magistrates' Courts (Sexual Offences Prevention Orders) Rules 2004***(112)** **E+W**

230. In rule 4(5), for “Justices' Chief Executive” substitute “designated officer for the court”.

Commencement Information

I233 Sch. para. 230 in force at 1.4.2005, see [art. 1](#)

*Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (England) Order 2004***(113)** **E+W**

231. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I234 Sch. para. 231 in force at 1.4.2005, see [art. 1](#)

*Discharge of Fines by Unpaid Work (Pilot Schemes) Order 2004***(114)** **E+W**

232. In article 2, for “petty sessions areas” substitute “local justice areas”.

Commencement Information

I235 Sch. para. 232 in force at 1.4.2005, see [art. 1](#)

233. In the Schedule, for “Petty Sessions Areas” (in each place) substitute “Local Justice Areas”.

Commencement Information

I236 Sch. para. 233 in force at 1.4.2005, see [art. 1](#)

Commencement Information

I235 Sch. para. 232 in force at 1.4.2005, see [art. 1](#)

I236 Sch. para. 233 in force at 1.4.2005, see [art. 1](#)

*Magistrates' Courts (Reports Relating to Adult Witnesses) Rules 2004***(115)** **E+W**

234. In these Rules, for “justices' chief executive” (In each place) substitute “designated officer”.

(112) S.I. [2004/1054](#).

(113) S.I. [2004/1237](#).

(114) S.I. [2004/2198](#).

(115) S.I. [2004/2419](#).

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Commencement Information

I237 Sch. para. 234 in force at 1.4.2005, see [art. 1](#)

Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2004(116) **E+W**

235. In article 16(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I238 Sch. para. 235 in force at 1.4.2005, see [art. 1](#)

Incidental Catches of Cetaceans in Fisheries (England) Order 2005(117) **E+W**

236. In article 6(3), for “petty sessions area” (in both places) substitute “local justice area”.

Commencement Information

I239 Sch. para. 236 in force at 1.4.2005, see [art. 1](#)

EXPLANATORY NOTE

(This Note is not part of the Order)

The Courts Act 2003 (“the Act”) creates a new structure for magistrates' courts in England and Wales. It provides for a commission of the peace in England and Wales (section 7 of the Act) in place of the commission areas which are abolished with the repeal of the Justices of the Peace Act 1997 (c. 25) (“the 1997 Act”) (sections 6(4) and 109(3) of, and Schedule 10 to, the Act).

With the repeal of the 1997 Act petty sessions areas will cease to exist and under section 8 of the Act England and Wales will be divided into local justice areas, in the first instance with the same boundaries as the former petty sessions areas (paragraph 3 of Schedule 9 to the Act).

The Greater London Magistrates' Courts Authority and magistrates' courts committees outside Greater London and the office of justices' chief executive are abolished (section 6 of the Act). Certain functions of justices' chief executives are to be transferred to designated officers (section 37 of, and Schedule 8 to, the Act).

Accordingly this Order makes consequential amendments to the subordinate legislation specified in the Schedule corresponding to those made by Schedule 8 to the Act to primary legislation.

(116) S.I. 2004/3226.

(117) S.I. 2005/17.

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