

SCHEDULE

Article 4

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

PART 1

PROVISIONS CONSEQUENTIAL ON CONSTITUTION
OF THE NEW AREAS BY ARTICLE 3(1)

1.—(1) The justices for the new area shall appoint in the prescribed manner, so far as may be applicable, and for the prescribed term, to take office on 1st January 2007:—

- (a) a chairman and one or more deputy chairmen;
- (b) a Betting Licensing Committee;
- (c) a family panel;
- (d) a youth court panel;
- (e) a Bench Training and Development Committee.

(2) In sub-paragraph (1), the expressions “the prescribed manner” and “the prescribed term” mean respectively—

- (a) in relation to the election of a chairman or deputy chairman, the manner prescribed by the Justices of the Peace (Size and Chairmanship of Bench) Rules 2005⁽¹⁾ and a term ending on 31st December 2007;
- (b) in relation to the appointment of a Betting Licensing Committee, the manner prescribed by the Betting (Licensing) Regulations 1960⁽²⁾ and a term ending on 31st December 2007;
- (c) in relation to the appointment of members of a family panel, the manner prescribed by the Family Proceedings Courts (Constitution) Rules 1991⁽³⁾ and a term ending on 31st December 2008;
- (d) in relation to the appointment of members of a youth court panel, the manner prescribed by the Youth Courts (Constitution) Rules 1954⁽⁴⁾ and a term ending on 31st December 2009;
- (e) in relation to the appointment of a member of a Bench Training and Development Committee, the manner prescribed by the Justices of the Peace (Size and Chairmanship of Bench) Rules 2005, and a term ending for one third of the members on 31st December in the years 2007, 2008 and 2009 respectively.

(3) In this Part of this Schedule any reference to the manner or procedure prescribed by an Act, rules or regulations for any election or appointment shall not include provisions relating to dates, times or time limits.

(4) Any required election, appointment or meeting may take place at any time from the day on which this Order is made to the day before 1st January 2007.

2.—(1) The persons who will be justices for the new area may hold a meeting before 1st January 2007 for the purposes set out in this Part of this Schedule and in order to prepare to assume their functions on and after that date.

(1) S.I. 2005/553.
(2) S.I. 1960/1701.
(3) S.I. 1991/1405.
(4) S.I. 1954/1711.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) If a meeting is held in accordance with sub-paragraph (1) it shall be treated as if it were a meeting of the justices for the new area for the purposes of the enactments cited in this Part of this Schedule despite the fact that the new area was not at that time in existence.

(3) The persons appointed under paragraph 1(1) to serve on any committee for a new area may hold one or more meetings after the conclusion of the process of appointment but before 1st January 2007 for the purpose of preparing to assume their functions on and after that date.

PART 2

LICENCES ETC.

- 3.—(1) Anything done by, or in relation to, the Betting Licensing Committee for an area, under—
- (a) the Betting, Gaming and Lotteries Act 1963⁽⁵⁾; or
 - (b) the Gaming Act 1968⁽⁶⁾

having effect before 1st January 2007 shall continue to have effect on and after that date as if this Order had not been made.

(2) The thing done shall be treated as if it had been done by, or in relation to, the Betting Licensing Committee for the area in which the premises concerned are then situated; and it shall have effect accordingly.

PART 3

OTHER ORDERS, PROCESS, RECORDS ETC.

4. Subject to the foregoing provisions of this Schedule, any process issued, order made, sentence passed, appeal brought, case stated, licence granted, recognisance entered into, proceedings commenced, appointment made, direction made or other thing done before 1st January 2007 by, from, to or before any justices for an existing area, their clerk or any other officer of the court, shall, on or after that date, be deemed to have been issued, made, passed, brought, stated, granted, entered into, commenced or done by, from, to or before those justices as justices for the relevant new area, their clerk or any other officer of the court, as the case may be.

⁽⁵⁾ 1963 c.2. This Act is prospectively repealed by the Gambling Act 2005 (c.19).

⁽⁶⁾ 1968 c.65. This Act is prospectively repealed by the Gambling Act 2005 (c.19).