

2009 No. 2080

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Local Justice Areas Order 2009

Made - - - - *17th July 2009*

Laid before Parliament *27th July 2009*

Coming into force in accordance with article 1

The Lord Chancellor, in exercise of the powers conferred on him by sections 8(4) and 108(6) of the Courts Act 2003(a) and after consulting in accordance with sections 8(5A) and 8(6) of that Act, makes the following Order.

Citation and commencement

- 1.—(1) This Order may be cited as the Local Justice Areas Order 2009.
- (2) For the purposes of Part 1 of the Schedule to this Order, this Order shall come into force on 17th August 2009.
- (3) For all other purposes this Order shall come into force on 1st January 2010.

Interpretation

2. In this Order—
 - “existing area” means a local justice area existing before 1st January 2010 and altered by this Order;
 - “new area” means a local justice area constituted by this Order;Any reference to a justice for an area shall be construed as a reference to a justice of the peace who ordinarily acts, or as the case may be, will, on or after 1st January 2010, ordinarily act, in and for that area.

New Areas

- 3.—(1) The existing areas of Dudley and Stourbridge and Halesowen are combined to become a new area named Dudley and Halesowen.
- (2) The existing areas of Warley and West Bromwich are combined to become a new area named Sandwell.
- (3) Accordingly, the Schedule to the Local Justice Areas Order 2005(b) is amended as follows—
 - (a) omit “Stourbridge and Halesowen”;

(a) 2003 c. 39; section 8(5A) was inserted by the Constitutional Reform Act 2005 (c. 4), Schedule 4, paragraph 312. Section 108(6) was amended by the Constitutional Reform Act 2005 (c. 4) section 15(1) and Schedule 4, paragraph 348.
(b) S.I. 2005/554, amended by S.I. 2005/2949, 2006/1839, 2006/2315, 2007/2284.

- (b) for “Dudley” substitute “Dudley and Halesowen”;
- (c) omit “Warley” and “West Bromwich”; and
- (d) after “Rotherham” insert “Sandwell”.

4. The consequential and transitional provisions set out in the Schedule to this Order have effect.

Signed by authority of the Lord Chancellor

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

17th July 2009

SCHEDULE

Article 4

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

PART 1

PROVISIONS CONSEQUENTIAL ON CONSTITUTION OF NEW AREAS BY ARTICLE 3

1.—(1) The justices for the new area shall appoint or elect in the prescribed manner, so far as may be applicable, and for the prescribed term, to take office on 1st January 2010—

- (a) a chairman and one or more deputy chairmen;
- (b) a Bench Training and Development Committee;
- (c) a youth panel.

(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(a) and a term ending on 31st December 2010;
- (b) in relation to the appointment of a member of a Bench Training and Development Committee, the manner prescribed by the Justices of the Peace (Training and Development Committee) Rules 2007(b) and a term ending for one third of the members on 31st December in the years 2010, 2011 and 2012 respectively.
- (c) in relation to the appointment of a youth panel, the manner prescribed by the Youth Courts (Constitution of Committees and Right to Preside) Rules 2007(c) and, in relation to the chairman and deputy chairman or deputy chairmen of the youth panel, for a term ending on 31st December 2010.

(3) In this Part of this Schedule any reference to the manner prescribed by rules 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 date set out at article 1(2) to the day before 1st January 2010.

(a) S.I. 2005/533
(b) S.I. 2007/1609
(c) S.I. 2007/1611

2.—(1) The persons who will be justices for a new area may hold a meeting before 1st January 2010 for the purposes set out in this Part of the Schedule and in order to prepare to assume their functions on and after that date.

(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 the new area may hold one or more meetings after the conclusion of the process of appointment but before 1st January 2010 for the purpose of preparing to assume their functions on and after that date.

PART 2

OTHER THINGS DONE.

3. Subject to the provisions of this Schedule anything done before 1st January 2010 by, to, before or in relation to 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 done by, to, before or in relation to those justices, their clerk or any other officer of the court, as justices for the new area, their clerk or any other officer of the court, as the case may be.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the reorganisation of local justice areas. A new local justice area named Dudley and Halesowen replaces the existing local justice areas of Dudley and Stourbridge and Halesowen. A new local justice area named Sandwell replaces the existing local justice areas of Warley and West Bromwich. The Order is brought into force on 17th August 2009 for the purpose of enabling appointments to be made and elections to be held on the basis of the combined areas. The Order is brought into force on 1st January 2010 for the substantive creation of the combined areas.

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STATUTORY INSTRUMENTS

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