

2011 No. 1708

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Local Justice Areas (No. 2) Order 2011

Made - - - - *11th July 2011*

Laid before Parliament *13th July 2011*

Coming into force in accordance with article 1

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

Citation and commencement

- 1.—(1) This Order may be cited as the Local Justice Areas (No. 2) Order 2011.
- (2) This Order comes into force on 8th August 2011 for the purposes of part 1 of the schedule to this Order.
- (3) For all other purposes this Order comes into force on 1st January 2012, immediately after the coming into force of the Local Justice Areas Order 2011(b).

Interpretation

- 2.—(1) In this Order—
 - “existing area” means a local justice area as it exists immediately before 1st January 2012;
 - “new area” means a local justice area constituted by this Order.
- (2) Any reference to a justice for an area is to 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 2012, ordinarily act, in and for that area.

New Areas

3. The existing areas of Cynon Valley, Merthyr Tydfil and Miskin are combined to become a new area named Glamorgan Valleys.

Amendments to the Local Justice Area 2005

4. The schedule to the Local Justice Area Order 2005(c) is amended as follows—

(a) 2003 c.39. Section 8(5A) was inserted by the Constitutional Reform Act 2005 (c.4), section 15(1) and 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. 2011/1168.

(c) S.I. 2005/554. The schedule was substituted by S.I. 2011/1168.

- (a) omit “Cynon Valley”, “Merthyr Tydfil”, “Miskin”, and “North Devon”;
- (b) after “Gateshead District” insert “Glamorgan Valleys”.

Consequential and transitional provisions

5. The consequential and transitional provisions set out in the schedule to this Order have effect.

Signed by authority of the Lord Chancellor

11th July 2011

J Djanogly
Parliamentary Under Secretary of State
Ministry of Justice

SCHEDULE

Article 5

PART 1

Consequential and Transitional Provisions

1.—(1) The persons and bodies referred to in sub-paragraph (2) shall be formed, appointed or elected (as the case may be) in the prescribed manner and for the prescribed term, to take office on 1st January 2012.

(2) The persons and bodies are—

- (a) a chairman and one or more deputy chairmen of the justices of Glamorgan Valleys local justice area;
- (b) a Bench Training and Development Committee;
- (c) a family panel, and a chairman and one or more deputy chairmen of a family panel;
- (d) a youth panel, and a chairman and one or more deputy chairmen of a youth panel.

(3) 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 2012;
- (b) in relation to the formation of a Bench Training and Development Committee and 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 2012, 2013 and 2014 respectively;
- (c) in relation to the formation of a family panel and the election of a chairman and one or more deputy chairmen of a family panel, the manner prescribed by the Family Proceedings Courts (Constitution of Committees and Right to Preside) Rules 2007(c), and as regards any such election, a term ending on 31st December 2012;
- (d) in relation to the formation of a youth panel and the election of a chairman and one or more deputy chairmen of a youth panel, the manner prescribed by the Youth Courts (Constitution of Committees and Right to Preside) Rules 2007(d), and as regards any such election, a term ending on 31st December 2012.

(a) S.I. 2005/553.

(b) S.I. 2007/1609 as amended by S.I. 2011/1493.

(c) S.I. 2007/1610 as amended by S.I. 2011/1495.

(d) S.I. 2007/1611 as amended by S.I. 2007/2622 and S.I. 2011/1494.

(4) In this part of this schedule, any reference to the manner prescribed by rules or regulations for any election or appointment shall not include provisions relating to dates, times or time limits.

2.—(1) The persons who will be justices for a new area may hold a meeting before 1st January 2012 for the purposes set out in this part of this schedule 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 and bodies appointed or elected for a new area under paragraph 1(1) may hold one or more meetings after the conclusion of the process of appointment or election but before 1st January 2012 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 2012 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 a new local justice area named Glamorgan Valleys to replace the existing local justice areas of Cynon Valley, Merthyr Tydfil and Miskin.

This Order corrects an error relating to the removal of North Devon from schedule 1 (Local Justice Areas in England and Wales) of the Local Justice Areas Order 2005 (S.I. 2005/554).

This Order comes into force on 8th August 2011 for the purpose of enabling appointments to be made and elections to be held on the basis of the altered local justice area. It comes into force on 1st January 2012 for the substantive creation and name change of the new local justice area.

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STATUTORY INSTRUMENTS

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