

2013 No. 1878

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Local Justice Areas (No. 2) Order 2013

Made - - - - *24th July 2013*

Laid before Parliament *30th July 2013*

Coming into force in accordance with article 1

The Lord Chancellor, in exercise of powers conferred by sections 8(4) and 108(6) of the Courts Act 2003(a) and after consulting in accordance with section 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 (No. 2) Order 2013.
- (2) This Order comes into force on 30th August 2013 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 2014.

Interpretation

- 2.—(1) In this Order—
 - “existing area” means a local justice area as it exists immediately before 1st January 2014;
 - “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 2014, ordinarily act, in and for that area.

New Areas

- 3.—(1) The existing areas of—
 - (a) Dudley and Halesowen,
 - (b) Sandwell,
 - (c) Walsall and Aldridge, and
 - (d) Wolverhampton,are combined to become a new area named Black Country.

(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.

(2) The existing areas of Birmingham and Solihull are combined to become a new area named Birmingham and Solihull.

(3) The existing areas of Coventry District and Warwickshire are combined to become a new area named Coventry and Warwickshire.

(4) The existing areas of Mansfield and Worksop and Nottingham and Newark are combined to become a new area named Nottinghamshire.

Amendment to the Local Justice Areas Order 2005

4. The Schedule to the Local Justice Areas Order 2005(a) is amended as follows—

- (a) omit “Dudley and Halesowen”;
- (b) omit “Sandwell”;
- (c) omit “Walsall and Aldridge”;
- (d) omit “Wolverhampton”;
- (e) omit “Birmingham”;
- (f) omit “Solihull”;
- (g) omit “Coventry District”;
- (h) omit “Warwickshire”;
- (i) omit “Mansfield and Worksop”;
- (j) omit “Nottingham and Newark”;
- (k) after “Berwick-upon-Tweed” insert “Birmingham and Solihull” followed by “Black Country”;
- (l) after “County of Wiltshire” insert “Coventry and Warwickshire”;
- (m) after “Northampton, Daventry and Towcester” insert “Nottinghamshire”.

The Schedule

5. The Schedule to this Order has effect.

Signed by authority of the Lord Chancellor

24th July 2013

Helen Grant
Parliamentary Under Secretary of State
Ministry of Justice

SCHEDULE 1

Article 5

PART 1

Consequential and Transitional Provisions

1.—(1) In relation to a new area, the persons and bodies referred to in sub-paragraph (2) shall be appointed, elected or formed (as the case may be) in the prescribed manner and for the prescribed term, to take effect on 1st January 2014.

(2) The persons and bodies are—

- (a) a chairman and one or more deputy chairmen of the justices of a local justice area;

(a) S.I. 2005/554. The Schedule was substituted by S.I. 2011/1168.

- (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 of the justices, the manner prescribed by the Justices of the Peace (Size and Chairmanship of Bench) Rules 2005(a) and a term ending on 31st December 2014;
- (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 2014, 2015 and 2016 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 2014;
- (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 2014.

(4) In this Part of this Schedule any reference to the manner prescribed by rules or regulations for any election, appointment or formation 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 2014 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 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 2014 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 2014 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.

(a) S.I. 2005/553.
 (b) S.I. 2007/1609 as amended by S.I. 2011/1493 and S.I. 2012/1206.
 (c) S.I. 2007/1610 as amended by S.I. 2007/2621 and 2011/1495.
 (d) S.I. 2007/1611 as amended by S.I. 2007/2622 and S.I. 2011/1494.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the new local justice area named Black Country to replace the existing local justice areas of Dudley and Halesowen, Sandwell, Walsall and Aldridge and Wolverhampton. It also provides for the new local justice area named Birmingham and Solihull to replace the existing local justice areas of Birmingham and Solihull, Coventry and Warwickshire to replace the existing local justice areas of Coventry District and Warwickshire and Nottinghamshire to replace the existing local justice areas of Mansfield and Worksop and Nottingham and Newark.

The Order comes into force on 30th August 2013 for the purpose of enabling appointments to be made, elections to be held and bodies formed on the basis of the altered local justice areas. The Order comes into force on 1st January 2014 for the substantive creation of the new local justice areas.

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