
STATUTORY INSTRUMENTS

2007 No. 1448 (L. 7)

MAGISTRATES' COURTS

**The Assistants to Justices' Clerks
(Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>14th May 2007</i>
<i>Laid before Parliament</i>		<i>17th May 2007</i>
<i>Coming into force</i>	- -	<i>8th June 2007</i>

The Lord Chancellor, in exercise of the power conferred on him by section 27(6) of the Courts Act 2003⁽¹⁾, makes the following Regulations—

Citation and commencement

1. These regulations may be cited as the Assistants to Justices' Clerks (Amendment) Regulations 2007 and come into force on 8th June 2007.

Amendments to the Assistants to Justices' Clerks Regulations 2006

2. For regulation 3 of The Assistants to Justices' Clerks Regulations 2006⁽²⁾ substitute—

“3.—(1) An assistant clerk may be employed as a clerk in court only if he—

- (a) is a barrister or solicitor of the Senior Courts or has passed the necessary examinations for either of those professions or has been granted an exemption in relation to any examination by the appropriate examining body;
- (b) is in employment as an assistant which is registered by the Law Society as a training contract under regulation 23 of the Training Regulations 1990⁽³⁾;
- (c) holds a valid training certificate granted by a magistrates' courts committee before 1st January 1999; or
- (d) acted as a clerk in court before 1st January 1999 and was qualified to act as such under the Justices' Clerks (Qualification of Assistants) Rules 1979⁽⁴⁾ as they stood immediately before 1st January 1999.

(1) 2003 c.39.

(2) S.I. 2006/3405.

(3) A copy may be obtained from The Law Society, Education and Training Unit, London, or from the following website address: <http://www.lawsociety.org.uk/documents/downloads/becomingtrainingregs1990v12004.pdf> (as of 8th June 2007).

(4) S.I. 1979/570.

Status: This is the original version (as it was originally made).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

(2) In this regulation “training certificate” means a certificate granted in accordance with rule 5(2) of and Schedule 3 to the Justices’ Clerks (Qualifications of Assistants) Rules 1979 as they stood immediately before 1st January 1999, and the validity and duration of a training certificate granted before that date shall be determined as if those provisions were still in force.

(3) Until the coming into force of section 59(1) of the Constitutional Reform Act 2005⁽⁵⁾ the reference in paragraph 1(a) to the Senior Courts is to be read as a reference to the Supreme Court.”

Signed by authority of the Lord Chancellor

14th May 2007

Harriet Harman
Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Assistants to Justices' Clerks Regulations 2006 to enable holders of training certificates granted by magistrates' courts committees before 1st January 1999 and other persons qualified to act as clerks in court at that time to be employed as clerks in court.

A copy of the Training Regulations referred to may be obtained from The Law Society, Education and Training Unit, London, or from the following website address: <http://www.lawsociety.org.uk/documents/downloads/becomingtrainingregs1990v12004.pdf> (as of 8th June 2007).