

# Administration of Justice Act 1964

# **CHAPTER 42**

# **ADMINISTRATION OF JUSTICE ACT 1964**

#### **PART I**

## **GREATER LONDON**

## The Central Criminal Court

1 Jurisdiction and sessions of Central Criminal Court

# Commissions and justices of the peace

- 2 The London commission areas
- 3 Power to adjust London commission areas

## Quarter sessions

- 4 Whole-time chairmen and deputy chairmen
- 5 County court judges as deputy chairmen
- 6 Temporary deputy chairmen
- 7 Proceedings and jurisdiction of quarter sessions
- 8 Clerks of the peace and other officers

# Summary jurisdiction in inner London

- 9 Integration of jurisdiction of stipendiary and lay magistrates
- 10 Metropolitan stipendiary magistrates
- 11 Composition of courts for domestic proceedings
- 12 Composition of juvenile courts
- 13 The committee of magistrates
- 14 Establishment of petty sessional divisions
- 15 Appointment of justices' clerks and other officers

- 16 Other functions of the committee of magistrates
- 17 Administrative and financial provisions

## Lieutenant and Sheriff

- 18 Lieutenant of Greater London
- 19 Sheriff of Greater London

# Miscellaneous and Supplementary

- 20 Extension of jurisdiction of magistrates' courts to try offences
- 21 Juries
- 22 The probation service
- 23 Superannuation of chairmen of quarter sessions
- 24 Superannuation of justices' clerks
- 25 Counties adjoining Greater London
- 26 The Inner and Middle Temples

#### **PART II**

#### GENERAL PROVISIONS

# Indemnification of justices and clerks

- 27 General provision for indemnity
- 28 Prerogative proceedings and acts done in quarter sessions

#### Miscellaneous

- 29 Administrative provisions relating to quarter sessions and their staff
- 30 Promissory oaths of justices of the peace
- 31 Allowances of justices and members of committees
- 32 Compensation under Justices of the Peace Act 1949, s. 42
- 33 Chairmanship of bench of magistrates
- 34 Assessors in Lancashire Crown Courts in juvenile cases

### PART III

#### **SUPPLEMENTAL**

- 35 Application of supplementary provisions of the London Government Act 1963
- 36 Orders, rules and regulations
- 37 Financial provisions
- 38 Interpretation
- 39 Consequential and minor modifications and amendments
- 40 Transitional provisions
- 41 Short title, commencement, extent and repeal

SCHEDULES

# SCHEDULE 1 — The Central Criminal Court

## Constitution

1 The Central Criminal Court (hereafter in this Schedule referred to...

- 2 The ex officio judges shall be the holders of the...
- 3 The additional judges shall be the judges of the Court...

#### Jurisdiction

- 4 Her Majesty may by commissions of over and terminer and...
- 5 The jurisdiction of the Court shall include jurisdiction to try...
- 6 Her Majesty may by Order in Council direct that the...
- 7 Every Order in Council under the last foregoing paragraph shall...
- 8 The jurisdiction of the Court may be exercised by any...

#### Sittings

- 9 The Lord Chief Justice shall fix and cause to be...
- 10 A magistrates' court who would apart from this paragraph be...
- Where an accused person is committed for trial to the...
- Where an accused person is committed for trial to the...
- 13 For the purposes of this Schedule the trial of a...
- 14 The Court may sit at any place in the City...

## Officers

- 15 The clerk of the Court and such other officers of...
- 16 The remuneration and expenses of the clerk and other officers...

## Supplemental

- 17 Any commission under paragraph 4 of this Schedule may be...
- 18 The foregoing provisions of this Schedule shall be without prejudice...

# SCHEDULE 2 — Superannuation of Chairmen, etc., who have been Stipendiary Magistrates

- 1 Where a person to whom this Schedule applies retires from...
- 2 Where a person to whom this Schedule applies dies while...
- 3 Where the amount of any pension or other benefit payable...
- 4 The amount of any contribution payable under paragraph 3 of...
- 5 Section 33(6) of the Justices of the Peace Act 1949...
- 6 An election under paragraph 1 or 2 of this Schedule...
- 7 Any contribution payable by the Treasury under paragraph 3, or...

# SCHEDULE 3 — ADAPTATION, AMENDMENT AND MODIFICATION OF ENACTMENTS

#### PART I — GENERAL ADAPTATION OF ENACTMENTS

- 1 Any reference in any enactment to the Central Criminal Court...
- 2 Any reference in any enactment to a metropolitan police court,...
- 3 Any reference in any enactment to a magistrate of the...
- Any reference in any enactment to the metropolitan police court...
- 5 The foregoing provisions of this Schedule shall apply to any...
  - PART II PARTICULAR AMENDMENTS AND MODIFICATIONS

## THE METROPOLITAN POLICE ACT 1829

6 In section 1 for any reference to the county of...

#### THE METROPOLITAN POLICE ACT 1856

7 In section 2 the word "Middlesex " shall be...

#### THE STIPENDIARY MAGISTRATES' ACT 1858

8 In section 11, in its application to a London commission...

#### THE EXTRADITION ACT 1870

9 In section 10 the words " to the Middlesex House...

# THE CENTRAL CRIMINAL COURT (PRISONS) ACT 1881

10 For the purposes of section 2(5) Greater London shall be...

## THE MUNICIPAL CORPORATIONS ACT 1882

11 In section 168(2), after the words "save as regards" there...

## THE LOCAL GOVERNMENT ACT 1888

12 (1) In section 42(12) for the references to the county...

#### THE JURIES ACT 1922

13 In section 7, in the definition of "overseers",...

## THE LOCAL GOVERNMENT (CLERKS) ACT 1931

14 (1) In sections 3(1), 4 and 7(3) for references to...

#### THE LOCAL GOVERNMENT ACT 1933

15 (1) Sections 3 and 5 shall apply to the chairman...

# THE LOCAL GOVERNMENT SUPERANNUATION ACT 1937

16 For the purposes of section 4(2), in its application (by...

# THE ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1938

17 (1) In section 1(4) for the words " second court"...

## THE LONDON BUILDING ACTS (AMENDMENT) ACT 1939

18 In section 151(1), in paragraph (b) the words "or of...

## THE CRIMINAL JUSTICE ACT 1948

19 (1) In section 37(5) for paragraphs (a) to (c) (which...

## THE JUSTICES OF THE PEACE ACT 1949

20 (1) Any allowance payable under section 8 to a justice...

# THE COSTS IN CRIMINAL CASES ACT 1952

21 (1) In section 7(1), after paragraph (a) there shall be...

#### THE MAGISTRATES' COURTS ACT 1952

22 (1) Section 10 shall, in its application to a magistrates'...

# THE HOUSE OF COMMONS DISQUALIFICATION ACT 1957

23 (1) In Part I of Schedule 1, both in its...

#### THE SOLICITORS ACT 1957

24 For section 33(3) there shall be substituted the following subsection...

## THE COUNTY COURTS ACT 1959

25 (1) In section 4(1) for the word " eighty "...

### DISTRESS FOR RATES ACT 1960

26 Section 11(1) shall in its application to Greater London have...

# THE MATRIMONIAL PROCEEDINGS (MAGISTRATES' COURTS) ACT 1960

27 In section 1(2), after the word "shall "there...

#### THE CRIMINAL JUSTICE ADMINISTRATION ACT 1962

28 (1) In section 8(5), at the end there shall be...

## THE BETTING, GAMING AND LOTTERIES ACT 1963

29 In paragraph 2 of Schedule 1, in paragraph (a) of...

#### THE OFFICES. SHOPS AND RAILWAY PREMISES ACT 1963

30 In section 52(3) for paragraph (c) there shall be substituted...

# THE LICENSING ACT 1964

31 (1) In section 2(1) for the words from "(a)...

# SCHEDULE 4 — Transitional Provisions

## Commissions of the peace

1 Each commission granted under section 2 of this Act shall...

## Quarter sessions

- 2 As from the issuing of a commission of the peace...
- 3 (1) After the issue of a commission of the peace...
- 4 (1) After the issue of a commission of the peace...

## Petty sessional divisions

5 (1) The Secretary of State shall as soon as may...

## Magistrates' courts, etc.

- 6 (1) Subject to paragraph 14 of this Schedule, after the...
- 7 (1) The Lord Chancellor shall after the issue of a...

- 8 (1) This paragraph applies to a petty sessional division of...
- 9 (1) The chairman and deputy chairman of the justices for...
- 10 (1) The clerk of the peace for the inner London...
- 11 Unless the justices for a petty sessions area which will...
- 12 Any person who— (a) is a member of a magistrates'...

#### Juries

13 (1) The jurors book prepared during 1964 for the area...

#### Probation

14 (1) An order under paragraph 1 of Schedule 5 to...

#### Licensing

15 (1) Any order made, licence granted or other thing done...

# Preliminary expenditure

- 16 (1) Any expenditure incurred before 1st April 1965 in connection...
- 17 Any expenditure incurred before 1st April 1965 in connection with...
- 18 Any expenditure of the Greater London Council or the Receiver...

# Pending proceedings

- 19 (1) Any proceedings the hearing of which has begun but...
- 20 Subject to paragraph 19 of this Schedule, any person who...
- 21 (1) The inclusion in a London commission area of any...
- 22 Any documents in the custody, by virtue of his office...

#### Miscellaneous

- 23 A deputy lieutenant of the county of London or of...
- 24 (1) A person who immediately before 1st April 1965 is...
- 25 (1) A person who— (a) immediately before 1st April, 1965...
- 26 Any person serving as metropolitan stipendiary magistrate immediately before 1st...
- 27 Any person serving as clerk to the Central Criminal Court...
- 28 (1) Subject to the following provisions of this paragraph, anything...

# Supplemental

- 29 Any requirement imposed by this Schedule on any body of...
- 30 Any person appointed to any office under arrangements mentioned in...
- 31 Any reference in this Schedule to a petty sessions area,...
- 32 If any order under section 41(2) of this Act appoints...

# SCHEDULE 5 — Repeals