

## SCHEDULES

### SCHEDULE 3

Section 39.

#### ADAPTATION, AMENDMENT AND MODIFICATION OF ENACTMENTS

##### PART I

###### GENERAL ADAPTATION OF ENACTMENTS

- 1 Any reference in any enactment to the Central Criminal Court district shall be construed as a reference to Greater London.
- 2 Any reference in any enactment to a metropolitan police court, a metropolitan magistrates' court or a metropolitan stipendiary court shall be construed as a reference to a magistrates' court for the inner London area.
- 3 Any reference in any enactment to a magistrate of the metropolitan police court or metropolitan stipendiary court at Bow Street shall be construed as a reference to a metropolitan stipendiary magistrate sitting in a magistrates' court in the same court-house as the chief metropolitan stipendiary magistrate.
- 4 Any reference in any enactment to the metropolitan police court area or the metropolitan stipendiary court area shall be construed as a reference to the inner London area.
- 5 The foregoing provisions of this Schedule shall apply to any reference mentioned in those provisions, whatever the terms of the reference, but shall have effect subject to any specific provision elsewhere in this Act and, in particular, to the following provisions of this Schedule.

##### PART II

###### PARTICULAR AMENDMENTS AND MODIFICATIONS

###### *THE METROPOLITAN POLICE ACT 1829*

- 6 In section 1 for any reference to the county of Middlesex there shall be substituted a reference to each of the London commission areas.

###### *THE METROPOLITAN POLICE ACT 1856*

- 7 In section 2 the word " Middlesex " shall be omitted and after the word " therein " there shall be inserted the words " and for each of the London commission areas ".

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*THE STIPENDIARY MAGISTRATES' ACT 1858*

- 8 In section 11, in its application to a London commission area, for the references to the treasurer of the county there shall be substituted references to the treasurer to the Greater London Council.

*THE EXTRADITION ACT 1870*

- 9 In section 10 the words " to the Middlesex House of Detention, or to some other prison in Middlesex " shall be omitted.

*THE CENTRAL CRIMINAL COURT (PRISONS) ACT 1881*

- 10 For the purposes of section 2(5) Greater London shall be deemed to be a county.

*THE MUNICIPAL CORPORATIONS ACT 1882*

- 11 In section 168(2), after the words "save as regards" there shall be inserted the words " the taking of the oath and ".

*THE LOCAL GOVERNMENT ACT 1888*

- 12 (1) In section 42(12) for the references to the county of London there shall be substituted references to Greater London.
- (2) In section 67, in its application to a London commission area, for the reference to the county treasurer there shall be substituted a reference to the treasurer to the Greater London Council.
- (3) Section 83(4) shall not apply to a London commission area.

*THE JURIES ACT 1922*

- 13 In section 7, in the definition of " overseers ", for the words "metropolitan borough" there shall be substituted the words " London borough ".

*THE LOCAL GOVERNMENT (CLERKS) ACT 1931*

- 14 (1) In sections 3(1), 4 and 7(3) for references to the standing joint committee there shall be substituted references to the court of quarter sessions.
- (2) So much of section 3(3) as adapts the enactments relating to fees and costs payable to the clerk of the peace shall cease to have effect.

*THE LOCAL GOVERNMENT ACT 1933*

- 15 (1) Sections 3 and 5 shall apply to the chairman and vice-chairman of the Greater London Council without the modifications effected by paragraph 1(2) of Schedule 2 to the London Government Act 1963, but as if in section 3(5) for the words from " the county ", in the first place where those words occur, to the end of the subsection there were substituted the words " each of the London commission areas ".
- (2) Section 18(8) shall apply to the mayor of a London borough as it applies to the mayor of a non-county borough, but as if for the words from " the county in which the borough is situate" to the end of the subsection there were substituted the words " the

London commission area in which the borough is situated "; and section 20(3) shall apply to the deputy mayor of a London borough without the modification effected by paragraph 5 of Schedule 4 to the London Government Act 1963.

*THE LOCAL GOVERNMENT SUPERANNUATION ACT 1937*

- 16 For the purposes of section 4(2), in its application (by virtue of Schedule 3 to the Local Government Superannuation Act 1953) to justices' clerks for an outer London area and staff employed by a magistrates' courts committee for such an area to assist a justices' clerk, Greater London shall be treated as a county and the Greater London Council shall be treated as the council of that county.

*THE ADMINISTRATION OF JUSTICE (MISCELLANEOUS PROVISIONS) ACT 1938*

- 17 (1) In section 1(4) for the words " second court" there shall be substituted the words " additional court ".
- (2) In sections 1(5) and 2(5) for the references to the court of quarter sessions for the county of London there shall be substituted references to a court of quarter sessions for any of the London commission areas.

*THE LONDON BUILDING ACTS (AMENDMENT) ACT 1939*

- 18 In section 151(1), in paragraph (b) the words "or of the metropolitan police " shall be omitted and after that paragraph there shall be inserted the following paragraph:—
- “(bb) every building, structure or work vested in the Receiver for the metropolitan police district and occupied for the purposes of the metropolitan police, the magistrates' courts in the inner London area within the meaning of the Administration of Justice Act 1964 (including the juvenile courts for that area and the City of London) or the probation system in that area”.

*THE CRIMINAL JUSTICE ACT 1948*

- 19 (1) In section 37(5) for paragraphs (a) to (c) (which specify the persons who may grant bail under that section while a case is stated by a court of quarter sessions) there shall be substituted the following paragraphs:—
- “(a) in the case of quarter sessions for a county elsewhere than Greater London by the chairman or a deputy chairman of the quarter sessions;
- (b) in the case of quarter sessions for a borough, by the recorder or any deputy recorder ;
- (c) in the case of quarter sessions for a London commission area, by any person who is a legally qualified chairman of the court for the purposes of section 7 of the Administration of Justice Act 1964”.
- (2) In section 77(3)(a) the reference to Schedule 5 shall include a reference to section 22(4) of this Act.
- (3) In paragraph 2(3) of Schedule 5 the words " possessing such qualifications as may be prescribed " shall cease to have effect.

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(4) For paragraph 3(4) of Schedule 5 there shall be substituted the following sub-paragraph :—

“(4) A probation committee may delegate all or any of their functions to a subcommittee consisting of members of the committee.”

*THE JUSTICES OF THE PEACE ACT 1949*

- 20 (1) Any allowance payable under section 8 to a justice of the peace for a London commission area in respect of his duties as such shall, if the duties are those of a justice for the inner London area out of sessions, be paid by the Receiver, and shall in any other case be paid by the Greater London Council.
- (2) In section 15(2) for the reference to the chief magistrate of the metropolitan stipendiary court at Bow Street there shall be substituted a reference to the chief metropolitan stipendiary magistrate.
- (3) In section 16(5) for the words from "in the case" to " means" there shall be substituted the words " means subject to section 2(3) of the Administration of Justice Act 1964 ".
- (4) Section 18 shall, in its application to the outer London areas, have effect as if any reference to the council of a county were a reference to the Greater London Council, and in subsection 9(a) of that section for the words " metropolitan borough" there shall be substituted the words " other than an inner London borough ".
- (5) Section 24 shall cease to have effect.
- (6) Section 25 shall, in its application to the outer London areas, have effect as if any reference to the council of a county were a reference to the Greater London Council, but the sums payable by the Greater London Council under subsection (2) of that section shall be chargeable only on the outer London boroughs.
- (7) In section 27 the references to the council of a county shall include a reference to the Greater London Council and in section 27(2) the reference to functions under Parts III and IV of the Justices of the Peace Act 1949 shall include a reference to functions under section 27 of this Act.
- (8) In section 29(11) for the words " the county of London " there shall be substituted the words " the inner London area within the meaning of the Administration of Justice Act 1964 ".

*THE COSTS IN CRIMINAL CASES ACT 1952*

- 21 (1) In section 7(1), after paragraph (a) there shall be inserted the following paragraph:—
- “(aa) in the case of offences committed in Greater London, the general fund of the Greater London Council.”
- (2) In section 7(2) for the words "the County of London" there shall be substituted the words " Greater London ".
- (3) In section 7(3) the reference to the fund of any county shall include a reference to the general fund of the Greater London Council.
- (4) Greater London shall be treated as a county for the purposes of section 7(4) to (6).

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- (5) In sections 8 and 9 references to the treasurer of the county out of whose funds costs are payable under that Act shall, where costs are so payable out of the general fund of the Greater London Council, be construed as references to the treasurer to that Council.
- (6) In section 11 references to the treasurer of a county, to a county fund and to a county council shall include references respectively to the treasurer to the Greater London Council, to the general fund of that Council and to that Council.

#### *THE MAGISTRATES' COURTS ACT 1952*

- 22 (1) Section 10 shall, in its application to a magistrates' court for an area in Greater London, have effect as if for the words from "unlikely" to "within" in proviso (a) there were substituted the words "unlikely that the trial of the accused's case would otherwise begin within".
- (2) Section 12 shall, in its application to the Central Criminal Court, have effect as if for the reference to the end of the assizes there were substituted a reference to the latest date on which, under paragraph 12 of Schedule 1 to this Act, the trial of the accused must begin or, if the court has under that paragraph ordered that the trial shall begin on some other date, that other date.
- (3) Section 112 shall apply to magistrates' courts held by metropolitan stipendiary magistrates or held at either of the justice rooms of the City as it applies to other magistrates' courts.
- (4) Notwithstanding subsection (4) of section 118, subsections (1) and (2) of that section shall apply to the justices' clerks for the inner London area, and shall so apply as if for the reference in subsection (2) to the magistrates' courts committee there were substituted a reference to the committee of magistrates.
- (5) In the definition of "county" in section 126(1), the words from "except" to "County of London" shall be omitted, and at the end there shall be added the words "and references to a county include references to the City of London and any London commission area".

#### *THE HOUSE OF COMMONS DISQUALIFICATION ACT 1957*

- 23 (1) In Part I of Schedule 1, both in its application to the House of Commons of the Parliament of the United Kingdom and in its application to the Senate and House of Commons of Northern Ireland—
  - (a) after the entry relating to the Common Serjeant there shall be inserted the words "Additional Judge of the Central Criminal Court";
  - (b) in the entry relating to the judges of the Mayor's and City of London Court the words "or Additional" shall cease to have effect;
  - (c) in the entry relating to the whole-time salaried chairman and deputy chairmen of London Quarter Sessions for the words "London Quarter Sessions" there shall be substituted the words "the court of quarter sessions for a London commission area".
- (2) In Part III of Schedule 1, in its application to the House of Commons of the Parliament of the United Kingdom, the entry relating to clerks and other officers and servants of a metropolitan magistrates' court shall cease to have effect.

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(3) In Part IV of Schedule 1, in its application to the House of Commons of the Parliament of the United Kingdom—

(a) after the entry relating to Her Majesty's Commissioner of Lieutenancy in the City of London there shall be inserted the following words:—

“Her Majesty's Lieutenant for Greater London.	Any constituency comprising any part of Greater London;”;
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(b) after the entry relating to the Governor of the Isle of Wight there shall be inserted the following words—

“The High Sheriff of Greater London.	Any constituency comprising any part of Greater London”.
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#### *THE SOLICITORS ACT 1957*

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

“(3) Where a solicitor is a justice of the peace for any London commission area within the meaning of the Administration of Justice Act 1964 but is so by virtue of his office as mayor of a London borough, his being a justice for that area shall not subject any partner of his to any disqualification under this section.”

#### *THE COUNTY COURTS ACT 1959*

- 25 (1) In section 4(1) for the word " eighty " there shall be substituted the word " ninety ".
- (2) In section 4(4) for the words " there shall be two judges for a district" there shall be substituted the words " for a district wholly or partly situated in Greater London there shall be two or three judges (whichever is specified in the direction) and for any district not so situated there shall be two judges ".

#### *DISTRESS FOR RATES ACT 1960*

26 Section 11(1) shall in its application to Greater London have effect as if the reference to the rating area included a reference to a part of the rating area.

#### *THE MATRIMONIAL PROCEEDINGS (MAGISTRATES' COURTS) ACT 1960*

27 In section 1(2), after the word " shall " there shall be inserted the words " subject to section 11 of the Administration of Justice Act 1964 and any determination of the committee of magistrates thereunder."

#### *THE CRIMINAL JUSTICE ADMINISTRATION ACT 1962*

- 28 (1) In section 8(5), at the end there shall be added the words " or to the remuneration of the chairman or deputy chairman, or any person temporarily acting as chairman or deputy chairman, of the court of quarter sessions for a London commission area within the meaning of the Administration of Justice Act 1964. "
- (2) Section 16(4) shall not apply to the court of quarter sessions for a London commission area.

- (3) In section 18(5), in its application to a London commission area, for any reference to a county council there shall be substituted a reference to the Greater London Council.

*THE BETTING, GAMING AND LOTTERIES ACT 1963*

- 29 In paragraph 2 of Schedule 1, in paragraph (a) of the definition of " clerk to the appropriate authority ", the reference to the magistrates' court committee shall include a reference to the committee of magistrates.

*THE OFFICES, SHOPS AND RAILWAY PREMISES ACT 1963*

- 30 In section 52(3) for paragraph (c) there shall be substituted the following paragraph—
- “(c) premises provided and maintained for purposes connected with the administration of justice by the council of a county, the Greater London Council, a local authority or the receiver for the metropolitan police district”.

*THE LICENSING ACT 1964*

- 31 (1) In section 2(1) for the words from " (a) in the administrative " to " London " in paragraph (b) there shall be substituted the words " the City of London ".
- (2) In section 25(2) for the words from " and (b)" to the end of the subsection there shall be substituted the words—
- “(b) if the licensing district for which the licensing justices acted is in a London commission area, out of the general fund of the Greater London Council;
- (c) if the licensing district for which the licensing justices acted is the City of London, out of the general rate of the City of London ; and
- (d) in any other case, out of the county fund of the county in which the licensing district is situated ;

and any sum falling to be paid by virtue of this subsection out of the general fund of the Greater London Council shall be chargeable only on the London boroughs.”

- (3) In section 25(3) for the words from " as if" to the end of the subsection there shall be substituted the words " subject however to the following modifications:—
- (a) for any reference in those provisions to a borough or county borough there shall be substituted a reference to the City of London or to a borough having a separate court of quarter sessions, as the case may require ; and
- (b) in the application of those provisions to the City of London for any reference to the treasurer there shall be substituted a reference to the Chamberlain ".
- (4) In section 201(1) for the definition of " the metropolis" there shall be substituted the following definition, that is to say, " ' the metropolis' means an area consisting of the inner London area within the meaning of the Administration of Justice Act 1964 and the City of London ".
- (5) In Part VII and Schedule 11 any reference to the administrative county of London shall be construed as a reference to the metropolis, and any reference in Schedule 11

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to the county of London or London shall be construed as a reference to the inner London area.