

Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Part V. (See end of Document for details)

SCHEDULES

SCHEDULE 15

REPEALS AND REVOCATIONS

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Commencement Information

- II** Sch. 15 Pt. V partly in force; Sch. 15 Pt. V not in force at Royal Assent see s. 108(1); Sch. 15 Pt. V(1)(5) in force for certain purposes at 27.9.1999 see s. 108(3)(f)(4); Sch. 15 Pt. V(7) in force for certain purposes at 27.9.1999 by S.I. 1999/2657, art. 2(d)(ii)(c); Sch. 15 Pt. V(4) in force for certain purposes at 12.11.1999 by S.I. 1999/2657, art. 4; Sch. 15 Pt. V(6) in force for certain purposes at 1.3.2000 by S.I. 1999/3344, art. 3(b) (with art. 4); Sch. 15 Pt. V(3) in force at 31.8.2000 by S.I. 2000/1920, art. 3(c); Sch. 15 Pt. V(8) in force for certain purposes at 8.1.2001 by S.I. 2000/3280, art. 2(e); Sch. 15 Pt. V(8) in force insofar as not already in force at 19.2.2001 by S.I. 2001/168, art. 2(b); Sch. 15 Pt. V(6)(7) in force insofar as not already in force at 1.4.2001 by S.I. 2001/916, art. 2(c)(i)(ii)

(1)

Areas

Reference	Short title or title	Extent of repeal or revocation
6 & 7 Vict. c. 86.	The London Hackney Carriages Act 1843.	In section 24, the words from “, or, if he shall dwell” to “the said city,”, the words “or justice” and the words “, or to some justice as aforesaid,”.
16 & 17 Vict. c. 33.	The London Hackney Carriage Act 1853.	In section 18, the words from “or if the offence,”, in the second place, to the end.
31 & 32 Vict. c. 72.	The Promissory Oaths Act 1868.	In the Second Part of the Schedule, the words “for counties and boroughs”.
50 & 51 Vict. c. 55.	The Sheriffs Act 1887.	In section 38, the words from “(within” to “1997”.
60 & 61 Vict. c. 26.	The Metropolitan Police Courts Act 1897.	Section 7(1).

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10 & 11 Geo.5 c. 33.	The Maintenance Orders (Facilities for Enforcement) Act 1920.	In section 3(4), the words from “(within” to “1997”.
23 Geo.5 c. 12.	The Children and Young Persons Act 1933.	Section 48(5). In the Second Schedule, in Part I, paragraph 8A.
2 & 3 Geo.6 c. xcvi.	The London Building Acts (Amendment) Act 1939.	In section 151(1)(bb), the word “the” immediately preceding “magistrates’ courts”, the words from “in the inner” to “London)” and the words “in that area”.
11 & 12 Geo.6 c. 29.	The National Assistance Act 1948.	In section 43(4), the words from “(within” to “1997”.
12, 13 & 14 Geo.6 c. 76.	The Marriage Act 1949.	In section 3(5), the words from “(within” to “1997”.
14 & 15 Geo.6 c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	In Part II of Schedule 2, paragraph 5(b) and, in paragraph 6(b), in the third column, the words from “and where” to the end.
7 & 8 Eliz.2 c. 7.	The Manœuvres Act 1958.	In section 9, the definition of “petty sessions area”.
1964 c. 26.	The Licensing Act 1964.	In section 2, in subsection (1), the words from “, within” to the end and subsection (2A).
1964 c. 42.	The Administration of Justice Act 1964.	In section 12(1), the words from the beginning to “reference to the inner London area,”. In section 38(1), the definition beginning “London commission areas”. In Schedule 3, paragraph 29.
1969 c. 54.	The Children and Young Persons Act 1969.	In section 70(1), in the definition of “petty sessions area”, the words “has the same meaning as in the Magistrates’ Courts Act 1980, except that” and the word “it”.
1973 c. 18.	The Matrimonial Causes Act 1973.	In section 35(3), the words from “(within” to “1997”.
1974 c. 47.	The Solicitors Act 1974.	Section 38(4).

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1978 c. 22.	The Domestic Proceedings and Magistrates' Courts Act 1978.	In section 88(1), the definitions of "commission area" and "petty sessions area".
1980 c. 43.	The Magistrates' Court Act 1980.	In section 52, the second sentence. In section 67, in subsection (4), the second sentence and subsection (8). In section 150(1), the definitions of "commission area", "London commission area" and "petty sessions area". In Schedule 7, paragraphs 27 and 85.
1980 c. 66.	The Highways Act 1980.	In section 329(1), the definition of "petty sessions area".
1984 c. 37.	The Child Abduction Act 1984.	In the Schedule, in paragraph 5(b), the words from "(within" to "1997)".
S.I. 1985/1383.	The Local Government (Magistrates' Courts etc.) Order 1985.	In the Schedule, paragraphs 1 and 2.
1988 c. 52.	The Road Traffic Act 1988.	In section 192(1), the definition of "petty sessions area".
1988 c. 53.	The Road Traffic Offenders Act 1988.	In section 34C(2), the definition of "petty sessions area". In section 89(1), the definition of "petty sessions area", apart from the word "and" at the end.
1989 c. 41.	The Children Act 1989.	In Schedule 1, in paragraph 10(6), the words from "(within" to "1997)". In Schedule 11, in paragraph 8(d), the words "and (8)".
1990 c. 18.	The Computer Misuse Act 1990.	Section 11(6).
1992 c. 19.	The Local Government Act 1992.	In section 19(2)(d)(i), the words from "(within" to "1997)".
1993 c. 47.	The Probation Service Act 1993.	In Schedule 1, paragraph 6(4).

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1994 c. 19.	The Local Government (Wales) Act 1994.	In section 55(2)(a), the words from “(within” to “1997”.
1994 c. 29.	The Police and Magistrates’ Courts Act 1994.	In Schedule 8, paragraph 35.
S.I. 1996/674.	The Local Government Changes for England (Magistrates’ Courts) Regulations 1996.	In the Schedule, paragraphs 2(1), (3) and (7) and 5.
S.I. 1996/675.	The Magistrates’ Courts (Wales) (Consequences of Local Government Changes) Order 1996.	In Part II of the Schedule, paragraph 7.
1997 c. 25.	The Justices of the Peace Act 1997.	<p>Section 5(2)(b) and the preceding “and”.</p> <p>In section 7(3), the words from “(whether” to “acting Chief Magistrate”.</p> <p>Section 21 (and the preceding heading).</p> <p>Section 23.</p> <p>In section 25, in subsection (1), the words “, other than the City of London,” and subsection (3).</p> <p>In section 34(1)(a)(ii) and (3) (c), the words “any existing petty sessional division in”.</p> <p>Sections 35 and 36.</p> <p>Section 68(2).</p> <p>In section 70, in subsection (1), the words from the beginning to “above,” the words “or to county justices” and the words “or justices for the City” and, in subsection (2), the words “or to justices or magistrates for a county or non-metropolitan county” and the words “or to justices or magistrates for the City”.</p> <p>Section 71.</p> <p>In section 72, in subsection (1), the definition of “commission area”, the definition of “London commission areas”, “inner London area” and “outer London areas” and the definitions of “petty sessions areas”, “preserved county”</p>

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and “retained county”, and
subsection (2).
Schedules 1 and 2.
In Schedule 4, paragraph 6.
In Schedule 5, paragraphs
1 to 8, 14, 16(b) and the
preceding “and”, 18, 19(3)(a)
and (b) and (5), 20, 27, 28,
30, 31, 34 and 35.

(2)

Constitution of youth courts

Chapter	Short title	Extent of repeal
23 Geo.5 c. 12.	The Children and Young Persons Act 1933.	In the Second Schedule, in Part I, the headings “Outside Metropolitan Area” and “Youth court panels”, paragraph 1 and, in paragraph 10(a), the words “(except where the committee’s area is a borough)” and Part II.
1964 c. 42.	The Administration of Justice Act 1964.	Section 12.
1969 c. 54.	The Children and Young Persons Act 1969.	In section 70(1), the definition of “petty sessions area”.
1980 c. 43.	The Magistrates’ Courts Act 1980.	In section 146, in subsection (4), the words from “with respect to the making” to the end and subsection (5).
1985 c. 61.	The Administration of Justice Act 1985.	Section 61.
1991 c. 53.	The Criminal Justice Act 1991.	In Schedule 11, paragraph 40(2)(f) and (p).
1998 c. 37.	The Crime and Disorder Act 1998.	Section 48.
1999 c. 22.	The Access to Justice Act 1999.	In Schedule 10, paragraphs 16(2) and (4) and 35.

(3)

Unification and renaming of stipendiary bench

Chapter	Short title	Extent of repeal
3 & 4 Vict. c. 84.	The Metropolitan Courts Act 1840.	Section 6.

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16 & 17 Vict. c. 33.	The London Hackney Carriage Act 1853.	In section 18, the words from “or if the offence,” in the second place, to “for the county,”.
33 & 34 Vict. c. 78.	The Tramways Act 1870.	In section 3, the words from “The term “two justices”” to the end.
34 & 35 Vict. c. 78.	The Regulation of Railways Act 1871.	In section 2, the words “metropolitan police magistrate,”.
35 & 36 Vict. c. 50.	The Railway Rolling Stock Protection Act 1872.	In section 2, the words “metropolitan police magistrate,”.
46 & 47 Vict. c. 3.	The Explosive Substances Act 1883.	In section 6(1), the words “police court, or”.
57 & 58 Vict. c. 2.	The Behring Sea Award Act 1894.	Section 519 of the Merchant Shipping Act 1854 set out in the Second Schedule.
8 Edw.7 c. 53.	The Law of Distress Amendment Act 1908.	In section 4, in the proviso, the words from “a stipendiary magistrate” to “magistrate for”.
1964 c. 42.	The Administration of Justice Act 1964.	In section 38(1), the definition of “stipendiary magistrates”. In Schedule 3, in Part I, paragraphs 2 to 4.
1980 c. 43.	The Magistrates’ Courts Act 1980.	Section 67(7). Section 137(6).
1985 c. 23.	The Prosecution of Offences Act 1985.	In section 21(6)(a), the words “for any area”.
1989 c. 33.	The Extradition Act 1989.	Section 8(1)(b)(i) and (2). In section 9(1), the words from “consisting” to the end. In section 35(1), the definitions of “designated metropolitan magistrate” and “metropolitan magistrate”. In Schedule 1, in paragraph 5(1)(b), the words “a metropolitan magistrate or” and paragraph 13(2).
1989 c. 41.	The Children Act 1989.	In Schedule 11, in paragraph 8, in sub-paragraph (c), the words “66(1) and (2),” and, in sub-paragraph (d), the words “66(2),” and “and (7)”.

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1994 c. 19.	The Local Government (Wales) Act 1994.	In section 55(2)(a), the words “stipendiary magistrate”.
1997 c. 25.	The Justices of the Peace Act 1997.	Section 22(5). In section 24(1), the words “(other than metropolitan stipendiary magistrates)”. In section 55(8), the words “Subject to section 14(1) above,”. In section 72(1), the definition of “stipendiary magistrate”. In Schedule 4, in Part II, paragraphs 9 and 12. In Schedule 5, paragraphs 13(3) and 17.
1997 c. 50.	The Police Act 1997.	In section 6(5), the words “appointed for an area”. In section 52(5), the words “appointed for an area”.

(4)

Justices not to sit on committal for sentence

Chapter	Short title	Extent of repeal
1981 c. 54.	The ^{F1} Senior Courts Act 1981].	In section 74, in subsection (1), paragraph (b) and the preceding “or” and, in subsection (7), paragraph (b) and, in paragraph (c), the words “or on committal to the Crown Court for sentence”.

Textual Amendments

F1 Sch. 15 Pt. V: for the words “Supreme Court Act 1981” wherever they occur there is substituted (1.10.2009) the words “Senior Courts Act 1981” by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2](#)

(5)

Magistrates’ courts committees

Chapter	Short title	Extent of repeal
1972 c. 70.	The Local Government Act 1972.	In Schedule 12A, in Part I, in paragraph 2(a), the words “, within the meaning of the

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1997 c. 25.	The Justices of the Peace Act 1997.	Justices of the Peace Act 1997”. Section 32. Section 38(6). Section 49. In section 72(1), the definition of “magistrates’ courts committee areas”. In Schedule 5, paragraph 11.
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(6)

Greater London Magistrates’ Courts Authority

Chapter	Short title	Extent of repeal
60 & 61 Vict. c. 26.	The Metropolitan Police Courts Act 1897.	Sections 3 and 4.
2 & 3 Geo.6 c. xcvi.	The London Building Acts (Amendment) Act 1939.	In section 151(1)(bb), the words “magistrates’ courts”.
1965 c. 63.	The Public Works Loans Act 1965.	In section 2(1)(a), the word “and” at the end of sub-paragraph (iii).
1967 c. 28.	The Superannuation (Miscellaneous Provisions) Act 1967.	Section 15(1)(a)(ii) and (9).
1968 c. 13.	The National Loans Act 1968.	In Schedule 4, in paragraph 1(a), the word “and” at the end of sub-paragraph (iii).
1971 c. 56.	The Pensions (Increase) Act 1971.	In Schedule 6, paragraph (d).
1991 c. 53.	The Criminal Justice Act 1991.	Section 76(5).
1994 c. 29.	The Police and Magistrates’ Courts Act 1994.	In Schedule 8, paragraphs 24, 25 and 33(5).
1997 c. 25.	The Justices of the Peace Act 1997.	In section 10(8), the words “the City of London, a London borough,” and the words from “and for” to the end. In section 54(9), the definition of “local funds”. In section 55, subsection (8) and, in subsection (10), in the definition of “responsible authority”, paragraph (d) and the words from “or the” to the end. Section 56(4).

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1999 c. 22.	The Access to Justice Act 1999.	In section 72(1), the definition of “inner London area”. Schedule 3. In Schedule 4, paragraphs 7, 8, 10 and 11. In Schedule 10, paragraphs 39, 40(2)(a), 51, 52(2) and 53. In Schedule 11, paragraph 10. In Schedule 14, paragraph 28(2).
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(7)

Justices’ chief executives

Chapter	Short title	Extent of repeal
10 & 11 Geo.5 c. 33.	The Maintenance Orders (Facilities for Enforcement) Act 1920.	In section 4(6A)(b), the words from “and as if” to the end.
14 Geo.6 c. 37.	The Maintenance Orders Act 1950.	In section 22(1E)(a), the words from “and as if” to the end. In section 28(1), in the definition of “collecting officer”, the words from “in”, in the first place, to “and”.
6 & 7 Eliz.2 c. 39.	The Maintenance Orders Act 1958.	In section 4(5B)(a), the words from “and as if” to the end. In section 21(1), the definition of “proper officer”.
1964 c. 26.	The Licensing Act 1964.	In section 22(4), the words from ““as in” to “magistrates’ court”. Section 30(2).
1968 c. 65.	The Gaming Act 1968.	In Schedule 2, in paragraph 2(2), the definition of “the clerk to the licensing authority”.
1971 c. 32.	The Attachment of Earnings Act 1971.	In section 25(1), the words from “and, in relation to” to the end.
1972 c. 18.	The Maintenance Orders (Reciprocal Enforcement) Act 1972.	In section 9(1ZA)(b), the words from “and as if” to the end.
1986 c. 64.	The Public Order Act 1986.	Section 34(3).

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1988 c. 33.	The Criminal Justice Act 1988.	Section 41(13). Section 81(10).
1988 c. 53.	The Road Traffic Offenders Act 1988.	In section 34C(2), the words from “and any reference” to the end. Section 71(4) and (5). In section 89(1), the definition of “justices’ clerk”.
1989 c. 4.	The Prevention of Terrorism (Temporary Provisions) Act 1989.	In Schedule 4, in paragraph 1(5), the words from “and in this sub-paragraph” to the end.
1994 c. 37.	The Drug Trafficking Act 1994.	Section 30(9).
1997 c. 25.	The Justices of the Peace Act 1997.	Section 31(2). Section 40(5). Section 46. In section 60, in subsection (1), paragraph (b) (ii) and the preceding “and” and subsection (4). In Schedule 4, in Part II, paragraphs 15 and 18. In Schedule 5, in paragraph 23, paragraph (b) and the preceding “and” and, in paragraph 36, paragraph (b) and the preceding “and”.
1998 c. 37.	The Crime and Disorder Act 1998.	In Schedule 3, paragraph 6(11).

(8)

Warrants

Reference	Short title or title	Extent of repeal or revocation
6 & 7 Eliz.2 c. 39.	The Maintenance Orders Act 1958.	In section 2(4), paragraph (b), apart from the word “and” at the end. In section 5(4), paragraph (b), apart from the word “and” at the end.
1980 c. 43.	The Magistrates’ Courts Act 1980.	Section 83(4). In section 125, in subsection (2), the second paragraph and subsections (3) and (4).

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1984 c. 60.	The Police and Criminal Evidence Act 1984.	Section 33.
1988 c. 33.	The Criminal Justice Act 1988.	Section 65.
1990 c. 41.	The Courts and Legal Services Act 1990.	In Schedule 17, paragraph 11.
1996 c. 14.	The Reserve Forces Act 1996.	In Schedule 10, paragraph 18.
S.I.1997/1898.	The Family Law Act 1996 (Modification of Enactments) Order 1997.	Article 3.
1998 c. 37.	The Crime and Disorder Act 1998.	In Schedule 8, paragraph 44.
1999 c. 23.	The Youth Justice and Criminal Evidence Act 1999.	In Schedule 4, paragraph 8.

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