

SCHEDULE 1

PETTY SESSIONS AREAS

PART I

PROVISIONS APPLYING WHERE AN AREA IS TRANSFERRED FROM ONE PETTY SESSIONS AREA TO ANOTHER SUCH AREA

1. In this Part, “transferred area” means an area transferred from one petty sessions area to another such area, and—

“community service order” means an order made under section 14 of the Powers of Criminal Courts Act 1973;

“probation order” means a probation order made or having effect as if made under section 2 of that Act;

“supervision order” means any of the following orders, namely— a supervision order within the meaning of section 11 of the Children and Young Persons Act 1969 or to which paragraph 12 of Schedule 4 to that Act applies; an order under section 2(1)(f) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960; an order under section 2(2)(a) of the Guardianship Act 1973; a supervision order within the meaning of section 26 of the Powers of Criminal Courts Act 1973;

“the transferor area” means the petty sessions area from which the transferred area is transferred, and “the transferor justices” means the justices who ordinarily act for such petty sessions area; and

“the transferee area” means the petty sessions area to which the transferred area is transferred, and “the transferee justices” means the justices who will, on and after the appointed day, ordinarily act for such petty sessions area.

2. Subject to the following paragraphs, any process issued, order made, sentence passed, appeal brought, case stated, licence granted, recognizance entered into, proceeding begun, appointment made or other thing done before the appointed day by, from, to or before any of the transferor justices in relation to any matter arising in or concerning the transferred area, shall, on and after that day, be deemed to have been issued, made, passed, brought, stated, granted, entered into, begun or done by, from, to or before the transferee justices or their clerk, as the case may be.

3. Any order made, licence granted or other thing done under the Licensing Act 1964 by the transferor justices in relation to any premises in the transferred area, being an order or licence in force or other thing having effect immediately before the appointed day, shall continue to have like effect on and after that day as if the order had not been made but shall be treated as if it had been made, granted or done by the transferee justices.

4. Anything done under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968 by or in relation to the betting licensing committee for the transferor area in relation to any matter arising in or concerning the transferred area, being a thing having effect immediately before the appointed day, shall continue to have effect on or after that day as if the order had not been made but shall be treated as if it had been done by or in relation to the betting licensing committee for the transferee area; and anything done under either of those Acts by or in relation to any other person or body shall have effect accordingly.

5.—(1) Any order made by a magistrates' court directing the payment of money to the clerk or any other officer of a magistrates' court acting for the transferor area, in relation to any matter arising

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in or concerning the transferred area, shall have effect as if it had directed payment to be made to the clerk to the justices for the transferee area.

(2) Where on the appointed day periodical payments are by virtue of sub-paragraph (1) payable under section 52 of the Magistrates' Courts Act 1952 through the clerk to the justices for the transferor area to a person who resides outside that area, in relation to any matter arising in or concerning the transferred area, the said clerk may amend the order so as to require payments to be made through the clerk to the justices for the transferee area and, if he does so, shall give notice of the amendment to the person entitled to the payments, to the person required to make the payments and to the justices' clerk for the transferee area.

6. Where the transferor area is named in a community service order, probation order or supervision order, and the person named in the order is immediately before the appointed day residing in the transferred area, the powers and functions of the transferor justices in relation to the order shall vest in and be discharged by the transferee justices, and the order, unless amended in regard to the petty sessions area named therein, shall have effect in all respects as if the transferee area were named therein.

7. Any process, records or other document in relation to any matter arising in or concerning the transferred area in the custody, by virtue of his office as such, of the clerk to the justices for the transferor area shall—

- (a) if such clerk is the clerk to the justices for the transferee area, be retained by him in that capacity;
- (b) otherwise, be transferred by him to the clerk to the justices for the transferee area.

Copies of or extracts from any such record or document made or certified by the clerk to the justices for the transferee area shall be of the same effect as if they had been made or certified by the clerk to the justices for the transferor area.