
STATUTORY INSTRUMENTS

2005 No. 617

**JUSTICES OF THE PEACE,
ENGLAND AND WALES
MAGISTRATES' COURTS,
ENGLAND AND WALES**

The Courts Act 2003 (Consequential
Provisions) (No. 2) Order 2005

<i>Made</i>	- - - -	<i>9th March 2005</i>
<i>Laid before Parliament</i>		<i>10th March 2005</i>
<i>Coming into force</i>		<i>1st April 2005</i>

THE COURTS ACT 2003 (CONSEQUENTIAL
PROVISIONS) (NO. 2) ORDER 2005

1. Citation and commencement
 2. Consequential provisions
 3. Revocation
- Signature

SCHEDULE — CONSEQUENTIAL AMENDMENTS

1. ***Maintenance Orders (Facilities for Enforcement) Rules 1922***
2. In rules 2A and 3, for “justices' chief executive” substitute...
3. In rules 5A(4) (in the first place) and 6A(3) (in...
4. In rules 4, 5, 5A(2) and (4) (in the second...
5. In paragraph 1 of the Schedule, omit the definition of...
6. For “justices' chief executive” in other places in these Rules...
7. In paragraph 12(2) of the Schedule, for “magistrates' courts committee”...
8. ***Maintenance Orders Act 1950 (Summary Jurisdiction) Rules 1950***
9. In rules 1(1) and (4), 2(1) and 5(1), for “acting...
10. In the Schedule— (a) in Forms 1 and 2, for...
11. ***Youth Courts (Constitution) Rules 1954***
12. In rules 3, 6 and 9(1), for “petty sessions area”...

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13. In rule 14(1), omit the words from “and, in relation...
14. **Magistrates' Courts (Maintenance Orders Act 1958) Rules 1959**
15. In the Schedule— (a) for “JUSTICES' CHIEF EXECUTIVE” (in each...
16. **Betting (Licensing) Regulations 1960**
17. In the Schedule— (a) in Forms 1 to 6 and...
18. **Betting Levy (Particulars of Bookmakers' Permits) Regulations 1961**
19. **Justices of the Peace Act 1949 (Compensation) Regulations 1965**
20. **Magistrates' Courts (Backing of Warrants) Rules 1965**
21. In rule 5B, for “justices' chief executive” (in the first...
22. **Criminal Appeal Rules 1968**
23. **Gaming Act (Registration under Part II) Regulations 1969**
24. **Gaming Act (Registration under Part III) Regulations 1969**
25. **Gaming Clubs (Licensing) Regulations 1969**
26. **Magistrates' Courts (Attachment of Earnings) Rules 1971**
27. In rule 9(2), for “for which the justice is acting”...
28. In rule 16(1), for “for which the second mentioned court...
29. **Blood Tests (Evidence of Paternity) Regulations 1971**
30. **Magistrates' Courts (Blood Tests) Rules 1971**
31. **Isles of Scilly (Sale of Intoxicating Liquor) Order 1973**
32. In article 14, for “justices' chief executives” substitute “designated officers...
33. **Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules 1974**
34. In rules 4A(3) (in the first place), 7(2) (in the...
35. In rules 4B(2)(b), 8(2), 9B(1) and 12 (in each place)...
36. In paragraph 1 of Schedule A1, omit the definition of...
37. For “justices' chief executive” in other places in these Rules...
38. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee”...
39. **Magistrates' Courts (Guardianship of Minors) Rules 1974**
40. **Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules 1975**
41. In rules 4A(2) (in the first place), 8(1) and 13...
42. In rules 9(2), 10(1A), (2) and (3) and 12 and...
43. In paragraph 1 of Schedule A1, omit the definition of...
44. For “justices' chief executive” in other places in these Rules...
45. In rule 14(1), for “petty sessions area for which the...
46. In paragraph 12(2) of Schedule A1, for “magistrates' courts committee”...
47. In the Schedule (in both places), for “J.C.E.” substitute “D.O.”...
48. **Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975**
49. In rules 3A(1) (in the first place), 5(2), 6(1) and...
50. In rules 3A(1)(b), 4, 5A, 7A(1), 7B(3) and 8(1) and...
51. In paragraph 1 of Schedule 2, omit the definition of...
52. For “justices' chief executive” in other places in these Rules...
53. In paragraph 12(2) of Schedule 2, for “magistrates' courts committee”...
54. In Schedule 1, for “J.C.E.” substitute “D.O.” and for “Justices'...
55. **Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975**
56. **Local Government Area Changes Regulations 1976**
57. In regulation 19— (a) omit paragraph (1) of Part 1;...
58. In the heading of Schedule 1, for “Petty Sessions Areas”...
59. **Justices' Clerks (Qualifications of Assistants) Rules 1979**
60. **Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules 1980**
61. In rules 4A(3) (in the first place), 5(1), 10(1) and...

62. In rules 5(3), 7(2), 8(1A) and (2), 8B(1) and paragraphs...
63. In paragraph 1 of Schedule 1A, omit the definition of...
64. For “justices' chief executive” in other places in these Rules...
65. In rule 12(1), for “petty sessions area for which the...
66. In paragraph 12(2) of Schedule 1A, for “magistrates' courts committee”...
67. In Schedule 2 (in each place), for “J.C.E.” substitute “D.O.”...
68. **Magistrates' Courts Rules 1981**
69. In rule 32(1)(a), for “petty sessions area for which the...
70. In rule 41— (a) in paragraph (1)(a), for “appointed for...
71. In rule 55, for “that chief executive” substitute “that designated...
72. In rule 57A(1)— (a) for “a justices' chief executive” substitute...
73. In rule 58(3), for “commission area for which the justice...
74. In rule 59— (a) in paragraph (1)(a)(ii), for “petty sessions...
75. In rules 60(2), 63(1) and 74(4), for “that chief executive”...
76. In rule 72A, for “justices' chief executive”—
77. In rule 82— (a) for “acting for any petty sessions...
78. In rule 84A(2)(b), for “acting for the petty sessions area”...
79. In rule 86(1)(b), for “a justices' chief executive” substitute “the...
80. In rule 92, for “acting for the same petty sessions...
81. In rule 93B— (a) in paragraph (1)(b), for “acting for...
82. In rule 95A, for “petty sessions area” substitute “local justice...
83. In rule 101(2), for “acting for the petty sessions area...
84. In rule 106(2)(b), for “acting for the same petty sessions...
85. For “justices' chief executive” in other places in these Rules...
86. **Magistrates' Courts (Forms) Rules 1981**
87. **Crown Court Rules 1982**
88. In rules 3(2) and (3) and 4(1)(a) and (b), for...
89. In rules 7(2)(b) and (7)(c), 8(d) and 11(2)(b), for “chief...
90. In Schedule 10, for “Justices' Chief Executive” substitute “Designated Officer”....
91. **Magistrates' Courts (Adoption) Rules 1984**
92. In rule 15(1), for “acting for the area” substitute “acting...
93. In rule 28(1), for “acting for the same petty sessions...
94. In Form 3 in Schedule 1, for “Justices' Chief Executive”...
95. **Magistrates' Courts (Discontinuance of Proceedings) Rules 1986**
96. **Magistrates' Courts (Child Abduction and Custody) Rules 1986**
97. **Fixed Penalty (Procedure) Regulations 1986**
98. In regulation 8, for “justices' chief executive” substitute “designated officer”....
99. **Costs in Criminal Cases (General) Regulations 1986**
100. **Insolvency Rules 1986**
101. **Magistrates' Courts (Civil Jurisdiction and Judgments Act 1982) Rules 1986**
102. In rule 4(1) and (1A), for “justices' chief executive” substitute...
103. In rules 4(2), 6A, 10 (in each place) and 11(2)(b)...
104. For “justices' chief executive” in other places in these Rules...
105. **Magistrates' Courts (Family Law Act 1986) Rules 1988**
106. In rule 2(1), omit the definition of “commission area”
107. In the Schedule— (a) in Form 1, for “Justices' Chief...
108. **Magistrates' Courts (Notices of Transfer) Rules 1988**
109. **Civil Legal Aid (General) Regulations 1989**
110. In regulation 89(a), for “justices' chief executive” (in the first...
111. **Legal Advice and Assistance Regulations 1989**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Courts Act 2003 (Consequential Provisions) (No. 2) Order 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

112. In paragraphs 2 and 4 of Schedule 5, for “justices’...
113. **Legal Aid in Criminal and Care Proceedings (General) Regulations 1989**
114. In regulations 16(1), 17(4)(b) and 18 (1)(b), (c), (d) and...
115. In regulations 12(1) (in the first place), 13 (in the...
116. In regulations 11 (in each place), 14(1), (3), (4) and...
117. For “justices’ chief executive” in other places in these Regulations...
118. In Schedule 2, for “Justices’ Chief Executive” (in each place)...
119. **Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989**
120. In regulation 23(4), for “justices’ chief executive” substitute “designated officer”....
121. **Magistrates’ Courts (Extradition) Rules 1989**
122. **Magistrates’ Courts (Social Security Act 1986) (Transfer of Orders to Maintain and Enforcement of Maintenance Orders) Rules 1990**
123. **Magistrates’ Courts (Criminal Justice (International Co-operation)) Rules 1991**
124. In rule 5, for “justices’ chief executive” substitute “designated officer”....
125. In rule 6(1), omit “petty-sessional”.
126. **Family Proceedings Rules 1991**
127. In rule 4.22(2A)(a), for “petty sessions area or London commission...
128. **Family Proceedings Courts (Children Act 1989) Rules 1991**
129. In rule 1(2)— (a) in the definition of “file”, for...
130. In rule 21H(1), for “petty sessions area” substitute “local justice...
131. In rule 32(2), for “magistrates’ courts committee” substitute “Lord Chancellor”....
132. **Family Proceedings Courts (Constitution) Rules 1991**
133. In rule 3, for “Greater London Commission Area” substitute “Greater...
134. In rule 4— (a) after paragraph (2) insert the following...
135. In rule 5— (a) in paragraph (1)—
136. In rule 6, for “petty sessions area” substitute “local justice...
137. In rule 7— (a) omit paragraph (1);
138. In rule 8(2) and in rule 9(1), for “justices’ chief...
139. In rule 11— (a) for paragraph (2) substitute the following...
140. In rule 12— (a) in paragraph (1)—
141. In rule 13— (a) in paragraph (1)—
142. **Family Proceedings Courts (Matrimonial Proceedings etc) Rules 1991**
143. In these Rules (except rules 2(1) and 3(2)), for “justices’...
144. In rule 15(2), for “Magistrates’ Courts Committee” substitute “Lord Chancellor”....
145. In rule 22(2)(a)(ii), for “acting for the same petty sessions...
146. In Forms 7 and FL 416 in Schedule 1, for...
147. **Magistrates’ Courts (Costs Against Legal Representatives in Civil Proceedings) Rules 1991**
148. In rule 3(4), (5) and (6), for “justices’ chief executive”...
149. **Immigration (Isle of Man) Order 1991**
150. **Magistrates Courts (Remands in Custody) Order 1991**
151. **Council Tax (Administration and Enforcement) Regulations 1992**
152. In regulation 57(3), for “justices’ chief executive” substitute “designated officer”....
153. **Crown Office (Forms and Proclamations Rules) Order 1992**
154. In Part II of the Schedule— (a) omit Form B;...
155. **Child Support (Information, Evidence and Disclosure) Regulations 1992**
156. **Magistrates’ Courts (Attendance Centre) Rules 1992**

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157. ***Magistrates' Courts (Notice of Transfer) (Children's Evidence) Rules 1992***
158. ***Magistrates' Courts (Children and Young Persons) Rules 1992***
159. ***Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992***
160. ***Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993***
161. ***Reciprocal Enforcement of Maintenance Orders (Republic of Ireland) Order 1993***
162. ***Family Proceedings Courts (Child Support Act 1991) Rules 1993***
163. ***Reciprocal Enforcement of Maintenance Orders (United States of America) Order 1995***
164. ***United Nations (International Tribunal) (Former Yugoslavia) Order 1996***
165. In article 14(2), for "Justices' Chief Executive" substitute "Designated Officer"....
166. ***United Nations (International Tribunal) (Rwanda) Order 1996***
167. In article 14(2), for "Justices' Chief Executive" substitute "Designated Officer"....
168. ***Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules 1997***
169. ***Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules 1997***
170. ***Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules 1997***
171. ***Fire Precautions (Workplace) Regulations 1997***
172. ***Local Education Authority (Behaviour Support Plans) Regulations 1998***
173. ***Crime and Disorder Strategies (Prescribed Descriptions) Order 1998***
174. ***Transfer of Prisoners (Restricted Transfers) (Channel Islands and Isle of Man) Order 1998***
175. ***Civil Procedure Rules 1998***
176. In Schedule 2, in CCR Order 27—
177. ***Magistrates' Courts (Hearsay Evidence in Civil Proceedings) Rules 1999***
178. ***Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999***
179. ***Sea Fishing (Enforcement of Community Control Measures) Order 2000***
180. ***Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2000***
181. ***Contaminated Land (England) Regulations 2000***
182. ***Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000(a)***
183. ***Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) Order 2000***
184. ***Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Cod) (Irish Sea) (Wales) Order 2000***
185. ***Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000***
186. ***Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2000***
187. ***Sea Fishing (Enforcement of Community Conservation Measures) Order 2000***
188. ***Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2000***
189. ***Sea Fishing (North-East Atlantic Control Measures) Order 2000***

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190. ***Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000***
191. ***Local Probation Boards (Appointment) Regulations 2000***
192. ***Curfew Order and Curfew Requirement (Responsible Officer) Order 2001***
193. ***Race Relations Act 1976 (Statutory Duties) Order 2001***
194. ***Civil Jurisdiction and Judgments Order 2001***
195. ***Regulatory Reform (Special Occasions Licensing) Order 2001***
196. In article 7(2), for “justices' chief executive” substitute “designated officer...”
197. ***Goods Vehicles (Enforcement Powers) Regulations 2001***
198. ***Magistrates' Courts (Detention and Forfeiture of Terrorist Cash) (No. 2) Rules 2001***
199. ***Magistrates' Courts (Special Measures Directions) Rules 2002***
200. ***Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002***
201. ***Magistrates' Courts (Anti-Social Behaviour Orders) Rules 2002***
202. In rule 7(2), for “justices' chief executive” substitute “designated officer...”
203. In rule 8(2), for “magistrates' courts committee” substitute “Lord Chancellor”....
204. ***Magistrates' Courts (Detention and Forfeiture of Cash) Rules 2002***
205. In rules 4(9), 5 (in each place), 6(2), (3) and...
206. In rule 10(1), (5) and (6)(c), for “petty sessions area”...
207. Omit rule 12.
208. In Forms A and G in the Schedule, for “Justices'...”
209. ***Crown Court (Confiscation, Restraint and Receivership) Rules 2003***
210. In rule 26(6), for “justices' chief executive” substitute “designated officer”....
211. ***Immigration and Asylum Act 1999 (Jersey) Order 2003***
212. ***Sea Fishing (Restriction on Days at Sea) (No. 2) Order 2003***
213. ***Magistrates' Courts (Forfeiture of Political Donations) Rules 2003***
214. In rule 2(1), for “justices' chief executive for the relevant...”
215. In rule 3(1), for “petty sessions area” substitute “local justice...”
216. In rules 3(2), 4(3) and (5) and 5(4), for “justices'...”
217. In the Schedule, for “Justices' Chief Executive” (in each place)...
218. ***Advanced Television Services Regulations 2003***
219. ***Immigration and Asylum Act 1999 (Guernsey) Order 2003***
220. ***Family Proceedings Courts (Constitution) (Greater London) Rules 2003***
221. In rule 2— (a) omit the definition of “Greater London...”
222. In rule 4, for paragraphs (1) to (3) substitute the...
223. In rule 5(1)(a), for “acts for the Greater London area”...
224. Omit rule 9.
225. ***Crime and Disorder Strategies (Prescribed Descriptions) (England) Order 2004***
226. ***Sea Fishing (Restriction on Days at Sea) Order 2004***
227. ***Magistrates' Courts (Foreign Travel Orders) Rules 2004***
228. ***Magistrates' Courts (Notification Orders) Rules 2004***
229. ***Magistrates' Courts (Risk of Sexual Harm Orders) Rules 2004***
230. ***Magistrates' Courts (Sexual Offences Prevention Orders) Rules 2004***
231. ***Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (England) Order 2004***
232. ***Discharge of Fines by Unpaid Work (Pilot Schemes) Order 2004***
233. In the Schedule, for “Petty Sessions Areas” (in each place)...
234. ***Magistrates' Courts (Reports Relating to Adult Witnesses) Rules 2004***

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- 235. ***Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2004***
- 236. ***Incidental Catches of Cetaceans in Fisheries (England) Order 2005***

Explanatory Note

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Changes and effects yet to be applied to :

- Sch. Para. 91–94 revoked by [S.I. 2005/2804 Sch.](#)
- Sch. para. 200 revoked by [S.I. 2010/64 art. 3\(c\)](#)
- Sch. para. 30 revoked by [S.I. 2014/879 Sch.](#)
- Sch. para. 179 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 180 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 180 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 183-185 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 187-190 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 212 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 235 revoked by [S.I. 2015/191 Sch.](#)
- Sch. para. 236 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked by [S.I. 2005/2804 Sch.](#)
- art. 2 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked by [S.I. 2015/191 Sch.](#)
- art. 2 revoked (in part) by [S.I. 2010/64 art. 3\(c\)](#) (revoked only insofar as it applies to SI 2005/617 Sch. para 200)