
EXPLANATORY NOTE

(This note is not part of the Order.)

The Courts Act 2003 (“the Act”) creates a new structure for magistrates' courts in England and Wales. It provides for a commission of the peace for the whole of England and Wales (section 7 of the Act) in place of the commission areas which are abolished with the repeal of the Justices of the Peace Act 1997 (c. 25) (“the 1997 Act”) (sections 6(4) and 109(3) of, and Schedule 10 to, the Act).

With the repeal of the 1997 Act petty sessions areas will cease to exist and under section 8 of the Act England and Wales will be divided into local justice areas, in the first instance with the same boundaries as the former petty sessions areas (paragraph 3 of Schedule 9 to the Act).

The Greater London Magistrates' Courts Authority and magistrates' courts committees outside Greater London and the office of justices' chief executive are abolished (section 6 of the Act). Certain functions of justices' chief executives are to be transferred to designated officers (section 37 of, and Schedule 8 to, the Act).

Accordingly this Order makes consequential amendments to various enactments not dealt with in Schedule 8 to the Act.