STATUTORY INSTRUMENTS

1964 No. 1973

LONDON GOVERNMENT

The Administration of Justice Act 1964 (Transitional, etc.) Order 1964

Made - - - -	14*th December* 1964
Laid before Parliament	21*st December* 1964
Coming into Operation	
Article 1(1) - -	1*st April* 1965
Remainder - -	1*st January* 1965

In exercise of the powers conferred on me by section 84 of the London Government Act 1963(**a**), as extended by section 35 of the Administration of Justice Act 1964(**b**), I hereby make the following Order :—

1.—(1) References in the Appointment of Visiting Committees Order 1953 (as amended by the Appointment of Visiting Committees Order 1962) and in the Visiting Committee for Ashford Prison Order 1961 to London County Quarter Sessions and Middlesex County Quarter Sessions shall be construed as references to the courts of quarter sessions for the inner London area and the Middlesex area respectively.

(2) The courts of quarter sessions for the inner London area and the Middlesex area shall before 1st April 1965 make such appointments of justices as they are required to make by the Appointment of Visiting Committees Order 1953 (as amended by the Appointment of Visiting Committees Order 1962) and the Visiting Committee for Ashford Prison Order 1961 as modified by this Order and the justices so appointed shall hold office from 1st April 1965 until the first meeting held by their successors appointed in accordance with Rule 90(2) of the Prison Rules 1964(**c**).

2. References in section 42 of the Justices of the Peace Act 1949(**d**), section 23 of the Legal Aid and Advice Act 1949(**e**) and section 10 of the Costs in Criminal Cases Act 1952(**f**) to a county or borough council shall include references to the Greater London Council.

3. The provisions of the Schedule to this Order shall apply in respect of the committee of magistrates for the inner London area constituted under section 13 of the Administration of Justice Act 1964.

4. The members of the betting licensing committees last appointed under Regulation 1 or 2 of the Betting (Licensing) Regulations 1960(**g**) for the petty sessions areas which will, on 1st April 1965, cease to exist in consequence of section 2(1) of the Administration of Justice Act 1964 and for the petty sessional divisions of Waltham Abbey in the county of Essex, South Mimms in the county of Hertfordshire, Dartford in the county of Kent and Epsom in the county of Surrey shall hold office until 1st April 1965.

(**a**) 1963 c. 33. (**b**) 1964 c. 42.
(**c**) S.I. 1964/388 (1964 I, p. 591). (**d**) 12, 13 & 14 Geo. 6. c. 101.
(**e**) 12, 13 & 14 Geo. 6. c. 51. (**f**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 48.
(**g**) S. I. 1960/1701 (1960 I, p. 363).

5. The members of the magistrates' courts committees last appointed under Regulation 3, 4 or 5 of the Magistrates' Courts Committees (Constitution) Regulations 1951(a) for the counties of London and Middlesex and the county boroughs of Croydon, East Ham and West Ham shall hold office until 1st April 1965.

6. No appointments shall be made to the panel of justices constituted by section 8 of the Summary Jurisdiction (Appeals) Act 1933(b) and the justices who are members of the existing panel shall continue to hold office until 1st April 1965.

7.—(1) The chairman and deputy chairman of the justices for a petty sessional division of the inner London area elected under arrangements mentioned in paragraph 6 of Schedule 4 to the Administration of Justice Act 1964 shall hold office until 31st December 1965.

(2) A member of the committee of magistrates constituted under section 13 of the Administration of Justice Act 1964 appointed under any such arrangements shall hold office until 1st December 1965.

(3) A member of the juvenile court panel for the inner London area and the City of London appointed under any such arrangements shall hold office until 31st October 1967.

8. Subject to the provisions of paragraph 19 of Schedule 4 to the Administration of Justice Act 1964, any person who immediately before 1st April 1965 stands committed under section 5 of the Vagrancy Act 1824(c) to the court of quarter sessions for a county or borough abolished by section 3 of the London Government Act 1963 shall be deemed to have been committed to the court of quarter sessions for the London commission area in which the county or borough is wholly or mainly situated and may be tried, sentenced or otherwise dealt with by the last-mentioned court as if he had originally been committed thereto by a magistrates' court for that area; and any recognizance entered into in connection with the committal shall have effect accordingly.

9.—(1) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Administration of Justice Act 1964 (Transitional, etc.) Order 1964.

(3) Subject to the provisions of paragraph (4) of this Article, this Order shall come into operation on 1st January 1965.

(4) Article 1(1) of this Order shall come into operation on 1st April 1965 except that for the purposes of making appointments to take effect on that date it shall come into operation on 1st January 1965.

Frank Soskice,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
14th December 1964.

(a) S. I. 1951/2003 (1951 I, p. 1262).
(b) 23 & 24 Geo. 5. c. 38.
(c) 5 Geo. 4. c. 83.
(d) 52 & 53 Vict. c. 63.

Article 3

SCHEDULE

THE COMMITTEE OF MAGISTRATES—CONSTITUTION AND QUORUM

1.—(1) The members of the committee of magistrates who are to be chosen under section 13(3)(*a*) of the Administration of Justice Act 1964 by the lay justices for each petty sessional division shall be chosen at a meeting held in October.

(2) The members of the committee of magistrates who are to be chosen under section 13(3)(*b*) of the Administration of Justice Act 1964 by the members of the juvenile court panel for the inner London area and the City of London and by any chairmen of juvenile courts for that area and the City of London who are not members of that panel shall be chosen at a meeting held in October.

2. Nominations shall be permitted, but where voting is necessary it shall be by ballot and shall be so conducted that there shall be no disclosure of how individual justices have voted.

3. Where an equality of votes is found to exist between any candidates and the addition of a vote would entitle one of them to be elected, the person taking the chair at the meeting shall forthwith decide between those candidates by lot.

4. If for any reason the requisite number of members of the committee of magistrates is not appointed at the proper time or a vacancy occurs thereon, the appropriate justices may at any subsequent meeting appoint to the vacancy and paragraphs 2 and 3 of this Schedule shall apply to the appointment.

5. The quorum of the committee of magistrates shall be seven members.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes a number of consequential, transitional and supplementary provisions in connection with certain provisions of the Administration of Justice Act 1964 which relate to the London area. Article 1 makes provision for the appointment, by the courts of quarter sessions for the inner London area and the Middlesex area, of justices to serve on visiting committees for prisons in the London area. Article 2 adapts references in section 42 of the Justices of the Peace Act 1949, section 23 of the Legal Aid and Advice Act 1949 and section 10 of the Costs in Criminal Cases Act 1952 to a county or borough council to include the Greater London Council. Article 3 and the Schedule regulate the constitution and quorum of the committee of magistrates for inner London. Articles 4 to 7 make transitional provisions in respect of the term of office of persons who are members of certain bodies. Article 8 makes transitional provisions about the trial of persons who stand committed under section 5 of the Vagrancy Act 1824 to the court of quarter sessions for a county or borough abolished by the London Government Act 1963.