2001 No. 1099

LICENSING (LIQUOR)

The Isles of Scilly (Sale of Intoxicating Liquor) (Amendment) Order 2001

Made - - - - -	*20th March 2001*
Coming into force - -	*1st April 2001*

The Secretary of State, in exercise of the powers conferred on him by sections 198(2) and 202 of the Licensing Act 1964(**a**), hereby makes the following Order:

1. This Order may be cited as the Isles of Scilly (Sale of Intoxicating Liquor) (Amendment) Order 2001 and shall come into force on 1st April 2001.

2. In the Isles of Scilly (Sale of Intoxicating Liquor) Order 1973(**b**)–

(a) in article 4 (exclusion, modification and adaptation of Licensing Act 1964 and other enactments), in paragraph (2)(f), after the words ""clerk to the justices"" there shall be inserted the words ","justices' chief executive" or "chief executive to the justices""; and

(b) in article 14 (fees payable in respect of permits) for the words "justices' clerks" there shall be substituted the words "justices' chief executives".

Home Office
20th March 2001

Mike O'Brien
Parliamentary Under-Secretary of State

(**a**) 1964 c. 26; section 202 was amended by section 53(1)(b) of, and Part III of Schedule 11 to, the Gaming Act 1968 (c. 65), section 4(4) of the Licensing (Occasional Permissions) Act 1983 (c. 24) and section 39 of, and paragraph 1(1) and (5) of Schedule 11 to, the Deregulation and Contracting Out Act 1994 (c. 40). The 1964 Act and the Licensing (Occasional Permissions) Act 1983 were amended by section 90 of, and paragraphs 36 to 56 and 124 of Schedule 13 to, the Access to Justice Act 1999 (c. 22).

(**b**) S.I. 1973/1958, as amended by S.I. 1983/1136.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Isles of Scilly (Sale of Intoxicating Liquor) Order 1973 to transfer the administrative functions of justices' clerks under the Order to justices' chief executives in accordance with sections 90 (transfer of clerks' functions to chief executives) and 91 (accounting etc. functions of chief executives) of, and Schedule 13 to, the Access to Justice Act 1999.

Subsection (5) of section 90 provides that for the purposes of that section the administrative fuctions of the justices' clerks are all of their functions apart from those which are legal functions within the meaning given by section 48(2) of the Justices of the Peace Act 1997 (c. 25), as substituted by section 89(1) of the 1999 Act.

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