(2) Any further proceedings in or arising out of any proceedings begun before the date when this Order comes into operation before a court constituted under an Order revoked by this Order may be continued, or, as the case may be, taken before a court constituted under this Order in like manner as if this Order had not been made and that court had been constituted under the Orders revoked as aforesaid.

6. This Order may be cited as the Metropolitan Magistrates' Courts (Domestic Proceedings) Order, 1958, and shall come into operation on the first day of January, 1959.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order consolidates with amendments the Orders revoked by Article 5 (1). The principal amendment is that the magistrates' court which hears domestic proceedings for the City of London and the metropolitan stipendiary court area under the Order will sit on Thursdays, as well as Tuesdays, at Walton Street, Chelsea, London, instead of on Thursdays, at Bow Street, Westminster, London.

PROCEDURE

1958 No. 1991 (L. 13)

The Magistrates' Courts (Attendance Centre) Rules, 1958

Made - - - -	*25th November,* 1958
Laid before Parliament	*28th November,* 1958
Coming into Operation	*1st December,* 1958

I, the Right Honourable David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the power conferred upon me by section fifteen of the Justices of the Peace Act, 1949(a), as extended by section one hundred and twenty-two of the Magistrates' Courts Act, 1952(b), do hereby, after consultation with the Rule Committee appointed under the said section fifteen, make the following rules :—

1. The forms contained in the Schedule to these rules or forms to the like effect may be used, with such variation as the circumstances may require, in connection with proceedings in magistrates' courts when a court has made an order under section nineteen of the Criminal Justice Act, 1948(c), ordering a person who appears to the court at the time when the order is made to have attained the age of seventeen years to attend at an attendance centre.

(a) 12, 13 & 14 Geo. 6. c. 101. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55. (c) 11 & 12 Geo. 6. c. 58.

2.—(1) Where such a person as aforesaid is ordered under section nineteen of the Criminal Justice Act, 1948, to attend at an attendance centre in default of payment of a sum of money, payment may thereafter be made—

(*a*) of the whole of the said sum, to the clerk of the court which made the order;

(*b*) of the whole or any part of the said sum, to the officer in charge of the centre:

Provided that the said officer in charge of the centre shall not be required to receive a payment of part of the said sum unless it is an amount required to secure a reduction of one hour, or some multiple thereof, in the period of attendance specified in the order.

(2) The clerk of a court shall, on receiving a payment under paragraph (1) of this rule, forthwith notify the officer in charge of the attendance centre specified in the order.

(3) An officer in charge of an attendance centre shall pay any money received by him under paragraph (1) of this rule to the clerk of the court which made the order and shall note the receipt thereof in the register kept at the attendance centre.

3. These rules may be cited as the Magistrates' Courts (Attendance Centre) Rules, 1958, and shall come into operation on the first day of December, 1958.

Dated the 25th day of November, 1958.

Kilmuir, C.

SCHEDULE

FORMS

1

Attendance centre order (*C.J. Act*, 1948, *s.* 19.)

In the [county of . Petty Sessional Division of].

Before the Magistrates' Court sitting at .

A.B. (hereinafter called the defendant) who appears to the Court to have attained the age of seventeen years and to be under the age of twenty-one years, having been born, so far as has been ascertained, on the day of , 19 , is this day [*or* was on the day of , 19 ,] [, having consented to be tried summarily,] convicted of an offence for which the Court has, or would, but for section seventeen of the Criminal Justice Act, 1948, have power to impose imprisonment on him/her in that he/she on the day of , 19 , did (*state shortly particulars of offence*):

And the Court having been notified by the Secretary of State that the attendance centre specified herein is available for the reception from the Court of persons of his/her class or description:

It is ordered that the defendant do attend at the attendance centre at (*here insert address of centre*) on the first occasion on the day of , 19 , at the hour of in the noon, and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he/she shall have completed a period of attendance of hours.

Dated the day of , 19 .

J.P.,
Justice of the Peace for the [county] aforesaid.

2

Attendance centre order on failure to comply with requirement of probation order (*C.J. Act*, 1948, *ss.* 6, 19.)

In the [county of . Petty Sessional Division of].

Before the Magistrates' Court sitting at .

A.B. (hereinafter called the defendant) who appears to the Court to have attained the age of seventeen years and to be under the age of twenty-one years, having been born, so far as has been ascertained, on the day of . 19 , was on the day of , 19 , convicted by [*or* before] the Magistrates' Court [*or* Court of Assize *or* Quarter Sessions for the [county] of] sitting at , of (*state shortly particulars of offence*), and on the said date [*or* on the day of , 19 ,] the said Court made a probation order which [, as subsequently amended by the competent Court,] required him/her for the period of [years] from the date thereof to be under the supervision of a probation officer appointed for or assigned to the [Petty Sessional Division] of and further required him/her (*set out requirement which is contravened*):

And the defendant has this day appeared [*or* been brought] before the [said] Magistrates' Court sitting at , and the Court was satisfied that he/she has failed to comply with the last-mentioned requirement of the said order inasmuch as (*state shortly particulars of breach*):

And the Court having been notified by the Secretary of State that the attendance centre specified herein is available for the reception from the Court of persons of his/her class or description:

It is ordered that the defendant in respect of his/her failure to comply with the said requirement do attend at the attendance centre at (*insert address of centre*) on the first occasion on the day of , 19 , at the hour of in the noon, and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he/she shall have completed a period of attendance of hours.

Dated the day of , 19 .

J.P.,

Justice of the Peace for the [county] first above-mentioned.

3

Attendance centre order: non-payment of sum of money (*C.J. Act*, 1949, *s.* 19; *M.C. Act*, 1952, *ss.* 64, 69, 70, 71; *M.C. Rules*, 1952, *r.* 37.)

In the [county of . Petty Sessional Division of].

Before the Magistrates' Court sitting at .

	£	s.	d.
Fine ...			
Compensation			
Costs ...			
Total ...			
Part Payments			
Balance ...			

Hours of attendance in default

day of , 19 :

A.B. (hereinafter called the defendant) who appears to the Court to have attained the age of seventeen years and to be under the age of twenty-one years, having been born, so far as has been ascertained, on the day of , 19 , was on the day of , 19 , convicted by the Magistrates' Court sitting at , of (*state shortly particulars of offence*) and was adjudged to pay a fine of [, and for compensation,] [and for costs,] [by weekly [*or* monthly] instalments of , the first instalment of] the said sum[s] to be paid not later than the

[And a notice of fine having been served on the defendant and inquiry as to his/her means having subsequently been made by the competent Court in his/her presence:]

And the defendant having [paid in part payment, but having] made default in payment [of a balance of]:

And the defendant has been placed under supervision [*or* this Court is satisfied that it is undesirable [*or* impracticable] to place the defendant under supervision on the grounds that (*stating grounds*)]:

[And [it not being practicable to obtain] a report as to the defendant's conduct and means by the person under whose supervision he/she was placed [having been duly considered]:]

And the Court having been notified by the Secretary of State that the attendance centre specified herein is available for the reception from the Court of persons of his/her class or description:

It is ordered that the defendant do attend at the attendance centre at (*insert address of centre*) on the first occasion on the day of , 19 , at the hour of in the noon, and subsequently at such times as shall be fixed by the officer in charge of the said centre, until he/she shall have completed a period of hours, unless the said sum[s] [*or* balance] be sooner paid.

Dated the day of , 19 .

J.P.,
Justice of the Peace for the [county] aforesaid.

4

Order on failure to comply with attendance centre order or on commission of breach of Attendance Centre Rules (*C.J. Act*, 1948, *s.* 19.)

In the [county of . Petty Sessional Division of].

Before the Magistrates' Court sitting at .

A.B. (hereinafter called the defendant) was on the day of , 19 , convicted by [*or* before] the Magistrates' Court [*or* Court of Assize *or* Quarter Sessions for the [county] of] sitting at of (*state shortly particulars of offence*):

[And on the said date [*or* on the day of , 19 ,] the said Court made a probation order which [as subsequently amended by the competent Court] required him/her for the period of [years] from the date thereof to be under the supervision of a probation officer appointed for or assigned to the [Petty Sessional Division] of , and further required him/her (*set out the requirement which was contravened*):

And on the day of , 19 , the defendant appeared [*or* was brought] before the [said] Magistrates' Court sitting at and the Court was satisfied that he/she had failed to comply with the last-mentioned requirement of the said order inasmuch as (*state shortly particulars of breach*):]

[And on the said date the said Court ordered him/her to pay a fine of [and for compensation] [and for costs]:

And the defendant having [paid in part payment, but having] made default in payment [of a balance of]:]

. It was on the said date [*or* on the day of , 19 ,] ordered by the [said] Magistrates' Court sitting at , that the defendant [in respect of his/her failure to comply with the said requirement] should attend at the attendance centre at (*insert address of centre*), on the first occasion on the day of , 19 , at the hour of in the noon, and subsequently at such times as should be fixed by the officer in charge of the said centre, until he/she should have completed, a period of attendance of hours [unless the said sum[s] [*or* balance] should have been sooner paid]:

And the defendant has this day appeared [*or* been brought] before the [said] Magistrates' Court sitting at , and the Court is satisfied that he/she did on the day of , 19 , fail without reasonable excuse to attend at the said centre in accordance with the order [*or* while attending at the said centre committed a breach of the Attendance Centre Rules, 1958, which could not be adequately dealt with under those Rules, namely, (*state particulars of breach*)]:

It is ordered that the said attendance centre order be revoked and that the defendant for the offence in respect of which the said attendance centre [*or* probation] order was made [*or* in respect of his/her failure to comply with the above-mentioned requirement of the said probation order] [*or* in respect of his/her default in payment of the said sum[s] *or* [balance]] (*set out the order*).

Dated the day of , 19

J.P.,
Justice of the Peace for the [county] first above-mentioned.

EXPLANATORY NOTE

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

Rule 1 of these rules prescribes the forms to be used in cases where a magistrates' court has made an attendance centre order under section 19 of the Criminal Justice Act, 1948, in the case of a person who appears to the court to have attained the age of seventeen years. Rule 2 makes provision, in cases where such an order has been made in default of the payment of a sum of money, about subsequent payment of the sum.

MAINTENANCE OF DEPENDANTS

1958 No. 2111 (C. 17)

The Maintenance Orders Act, 1958 (Commencement) Order, 1958

Made - - - - 11*th December*, 1958

In exercise of the powers conferred on me by subsection (3) of section twenty-three of the Maintenance Orders Act, 1958(a), I hereby make the following Order:—

1. The Maintenance Orders Act, 1958, shall come into operation on the sixteenth day of February, 1959.

(a) 6 & 7 Eliz. 2. c. 39.