STATUTORY INSTRUMENTS

1963 No. 2102

MAGISTRATES' COURTS

The Metropolitan Magistrates' Courts (Domestic Proceedings) (No. 2) Order 1963

Made - - - - 20*th December* 1963
Coming into Operation 6*th January* 1964

At the Court at Buckingham Palace, the 20th day of December 1963

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 119(4), (5) and (6) of the Magistrates' Courts Act 1952(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) At the beginning of paragraph (2) of Article 2 of the Metropolitan Magistrates' Courts (Domestic Proceedings) Order 1963(b) (which specifies the qualifications of the chairman of a domestic proceedings court) there shall be inserted the words "Subject as provided in paragraph (3A) of this Article".

(2) After paragraph (3) of the said Article 2 there shall be inserted the following paragraph:—

"(3A) If by reason of illness or other emergency no person qualified in accordance with paragraph (2) of this Article to act as the chairman of a domestic proceedings court is available, any justice of the peace on the panel referred to in paragraph (3) of this Article may, with the consent of the Secretary of State, act temporarily as chairman.".

2. This Order may be cited as the Metropolitan Magistrates' Courts (Domestic Proceedings) (No. 2) Order 1963 and shall come into operation on 6th January 1964.

W. G. Agnew.

EXPLANATORY NOTE

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

Under the Metropolitan Magistrates' Courts (Domestic Proceedings) Order 1963, the chairman of a magistrates' court which hears domestic proceedings for the City of London and the metropolitan stipendiary court area must be either a metropolitan stipendiary magistrate or a justice of the peace for the county of London who has been nominated by the Secretary of State as a person qualified to act as chairman and selected by the chief magistrate of the metropolitan stipendiary courts. Under this Order when, by reason of an emergency, no person qualified to act as chairman is available, any justice of the peace qualified to be a member of a domestic proceedings court may, with the consent of the Secretary of State, act temporarily as chairman.

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55. (b) S.I. 1963/1323 (1963 II, p. 2294).