STATUTORY INSTRUMENTS

1986 No. 765

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Petty Sessional Divisions (Dyfed) Order 1986

Made - - - - 28*th April* 1986

Coming into operation in accordance with Article 1

Whereas the magistrates' courts committee for the county of Dyfed has, in pursuance of subsection (1) of section 23 of the Justices of the Peace Act 1979(**a**), submitted to the Secretary of State a draft order making provision about the division of the said county into petty sessional divisions:

And whereas by subsections (3)*(a)* and (5) of the said section it is provided that the Secretary of State may by statutory instrument make the Order either in the terms of the said draft or with such modifications as he thinks fit and that the said Order may contain transitional and other consequential provisions:

And whereas the provisions of subsections (1), (2) and (3) of section 24 of the said Act have been complied with:

Now, therefore, in exercise of the powers conferred upon me by subsections (3) and (5) of the said section 23, I hereby make the following Order:—

1. This Order may be cited as the Petty Sessional Divisions (Dyfed) Order 1986 and shall come into operation on 1st July 1986 except that for the purposes of paragraph 2 of Schedule 3 thereto this Order shall come into operation forthwith.

2. In this Order, except where the context otherwise requires, the expression "division" means petty sessional division and any reference to a justice for a division shall be construed as a reference to a justice of the peace who ordinarily acts, or, as the case may be, will on or after 1st July 1986 ordinarily act, in and for that division.

3.—(1) The divisions named in Schedule 1 to this Order shall be abolished.

(2) The areas comprised in the petty sessional divisions abolished by this Order shall be divided into the divisions named in column (1) of Schedule 2 to this Order and each such division shall comprise the area specified in respect thereof in column (2) of that Schedule.

(**a**) 1979 c.55.

4. The transitional and other consequential provisions set out in Schedule 3 to this Order shall have effect in connection with the provisions of Article 3 of this Order.

Douglas Hurd,
One of Her Majesty's Principal Secretaries of State.

Home Office.
28th April 1986.

Article 3

SCHEDULE 1

PETTY SESSIONAL DIVISIONS ABOLISHED BY ARTICLE 3(1)

Amman Valley, Carmarthen, Cemaes, Dewsland Haverfordwest, Fishguard, Llandeilo, Llandovery, Milford Haven, Narberth, Newcastle Emlyn, Pembroke, Pencader, St. Clears, Tenby and Whitland.

Article 3

SCHEDULE 2

DIVISION OF THE AREAS OF ABOLISHED PETTY SESSIONAL DIVISIONS INTO NEW PETTY SESSIONAL DIVISIONS

(1) Division.	(2) Area comprised therein.
Dinefwr	The area of the borough of Dinefwr.
Carmarthen South	That part of the district of Carmarthen comprising the communities of:— Abergwili Abernant Carmarthen Cilymaenllwyd Cynwyl Elfed Eglwyscummin Grondre Henllanfallteg Laugharne Township Llanarthney Llanboidy Llanddarog Llanddowror Llandissilio East Llandyfaelog Llanfallteg West Llangan West Llangain Llangyndeyrn Llangunnor Llangynin Llangynog Llanllawddog Llanpumsaint Llansteffan Llanwinio Meidrim Newchurch Pendine St. Clears St. Ishmael Trelech a'r Betws Whitland
Carmarthen North	That part of the district of Carmarthen comprising the communities of:— Cenarth Llanfihangel-ar-Arth Llanfihangel Rhos-y-Corn Llangeler Llanllwni Llanybydder Llanycrwys Newcastle Emlyn Pencarreg

SCHEDULE 2 *(Continued)*

(1) Division.	(2) Area comprised therein.
Cleddau	That part of the district of Preseli comprising the communities of :—
	Ambleston Boulston Brawdy Burton Camrose Cathedral Close of St. Davids Clarbeston Dale Freystrop Granston Hamlet of St. Martin Hamlet of St. Thomas Haroldston St. Issells Haroldston West Hasguard Haverfordwest Hayscastle Herbrandston Hubberston Johnston Jordanston Lambston Letterston Llandeloy Llangwm Llanhowell Llanreithan Llanrian Llanstadwell Llys-y-frân Marloes Mathry Milford Haven New Moat Neyland Nolton North Prendergast Roch Robeston West Rosemarket Rudbaxton Spittal St. Brides St. Davids St. Dogwells St. Edrins St. Elvis St. Ishmaels St. Lawrence St. Nicholas Steynton Talbenny Treffgarne Uzmaston Walton East Walton West Walwyn's Castle Whitchurch Wiston
Gogledd Preseli	That part of the district of Preseli comprising the communities of:—
	Bayvil Bridell Capel Colman Castlebythe Castellan Cilgerran Clydey Dinas Eglwys Wen Eglwyswrw Fishguard and Goodwick Fishguard South Henry's Moat Little Newcastle Llandeilo Llwydarth Llanfair-Nant-Gwyn Llanfair-Nant-y-Gôf Llanfihangel Penbedw Llanfyrnach Llangolman Llanllawer Llanstinan Llantood Llanwnda Llanychaer Llanychlwydog Maenclochog Meline Manordeifi Manorowen Monington Morvil Moylgrove Mynachlog-ddu Nevern Newport Penrydd Pontfaen Puncheston St. Dogmaels Rural West Cilrhedyn
South Pembrokeshire	The area of the district of South Pembrokeshire, of Caldey Island and of St. Margaret's Island and of the communities of Bletherston, Llandissilio West, Llanycefn and Vorlan.

SCHEDULE 3

TRANSITIONAL AND OTHER CONSEQUENTIAL PROVISIONS

1. In this Schedule—

"abolished division" means a division abolished by Article 3(1) of this Order;

"new division" means a division specified in column (1) of Schedule 2 to this Order;

"respective new division" in relation to an abolished division means the new division specified opposite that abolished division in column (2) of the Appendix to this Schedule;

"community service order" means an order made under section 14 of the Powers of Criminal Courts Act 1973 (**a**);

"probation order" means a probation order made or having effect as if made under section 2 of the Powers of Criminal Courts Act 1973;

"supervision order" means any of the following Orders, that is to say—

(a) a supervision order within the meaning of section 11 of the Children and Young Persons Act 1969 (**b**);

(b) an order under section 2(1)*(f)* of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 (**c**);

(c) an order under section 9 of the Domestic Proceedings and Magistrates' Courts Act 1978 (**d**);

(d) an order under section 2(2)*(a)* of the Guardianship Act 1973 (**e**);

(e) a supervision order within the meaning of section 26 of the Powers of Criminal Courts Act 1973;

(f) an order under section 17(1)*(a)* or section 36(3)*(b)* of the Children Act 1975 (**f**).

2.—(1) The justices for a new division shall appoint in the prescribed manner, so far as may be applicable, and for the prescribed term to take office on 1st July 1986:—

(a) a chairman and one or more deputy chairmen;

(b) a domestic court panel;

(c) one or more probation liaison committees;

(d) a justice or justices to serve as members of the magistrates' courts committee for the county of Dyfed;

(e) a divisional licensing committee;

(f) a betting licensing committee.

(2) The justices for each of the two new divisions of Dinefwr and South Pembrokeshire shall also appoint in the prescribed manner, and for the prescribed term to take office on 1st July 1986 a juvenile court panel.

(3) In the foregoing sub-paragraph, the expressions "the prescribed manner" and "the prescribed term" mean, respectively—

(a) in relation to the appointment of a chairman or deputy chairman, the manner prescribed by rules made or having effect as if made under section 18 of the Justices of the Peace Act 1979 and a term ending at the expiration of the month of December 1986;

(**a**) 1973 c.62.
(**b**) 1969 c.54.
(**c**) 1960 c.48.
(**d**) 1978 c.22.
(**e**) 1973 c.29.
(**f**) 1975 c.72.

(b) in relation to the appointment of a domestic court panel, the manner prescribed by rules made, or having effect as if made under section 144 of the Magistrates' Courts Act 1980(**a**) as extended by section 67 of that Act, and a term ending at the expiration of the month of December 1986;

(c) in relation to the appointment of a probation liaison committee, the manner prescribed by rules made or having effect as if made under Schedule 3 to the Powers of Criminal Courts Act 1973 and a term ending at the expiration of the month of December 1986;

(d) in relation to the appointment of a member of the magistrates' courts committee, the manner prescribed by regulations made or having effect as if made under section 21 of the Justices of the Peace Act 1979 and a term ending at the expiration of the month of November 1986;

(e) in relation to the appointment of the divisional licensing committee, the manner prescribed by Part I of Schedule 1 to the Licensing Act 1964(**b**) and a term ending at the expiration of the month of December 1986;

(f) in relation to the appointment of the betting licensing committee, the manner prescribed by the Betting (Licensing) Regulations 1960 (**c**) and a term ending at the expiration of the month of December 1986;

(g) in relation to the appointment of a juvenile court panel the manner prescribed by rules made, or having effect as if made under section 144 of the Magistrates' Courts Act 1980 as extended by section 146 of that Act, and ending at the expiration of the month of December 1988.

(4) In relation to the appointment of a justices clerk for a new division, any consultation with the justices for that division required by section 25(3) of the Justices of the Peace Act 1979 may take place before 1st July 1986.

3. The permitted hours under Part III of the Licensing Act 1964 in force immediately before 1st July 1986 in an abolished division shall continue in force there until the coming into operation of an order under the said Part III, fixing permitted hours, made in the year 1987 at the general annual licensing meeting of the justices for the respective new division.

4. Anything required by virtue of the foregoing provisions of this Schedule to be done on or after 1st July 1986 by, or in relation to, the clerk to the justices for an abolished division shall be done by, or in relation to, the clerk to the justices for the respective new division.

5. Subject to the foregoing provisions of this Schedule, any process issued, order made, sentence passed, appeal brought, case stated, licence granted, recognisance entered into, proceedings begun, appointment made or other thing done before 1st July 1986 by, from, to or before any justices for an abolished division or their clerk shall, on and after that date be deemed to have been issued, made, passed, brought, stated, granted, entered into, begun or done by, from, to or before those justices as justices for the respective new division or their clerk, as the case may be.

6. Any order made by a magistrates' court directing payment of money to the clerk or any other officer of a magistrates' court acting for an abolished division shall have effect as if it had directed payment to be made to the clerk to the justices for the respective new division.

7.—(1) Any process, records or other documents in the custody, by virtue of his office as such, of the clerk to the justices for an abolished division shall be retained by

(**a**) 1980 c.43. (**b**) 1964 c.26. (**c**) S.I. 1960/1701.

that clerk in his capacity as clerk to the justices for the respective new division or, if he does not hold that clerkship, be transferred to the custody of the clerk to the Justices for that new division.

(2) Copies of, and extracts from, any such record or other document as aforesaid made or certified by the clerk to the justices for the respective new division shall be of the same effect as if they had been made or certified by the clerk to the justices for the abolished division.

8. Where an abolished division is named in a community service order, probation order or supervision order, the powers and functions of the justices for that division in relation to the order shall vest in and be discharged by the justices for the respective new division and the order, unless amended in regard to the division named, shall have effect in all respects as if the respective new division were named therein.

Paragraph 1 APPENDIX TO SCHEDULE 3

(1) Abolished Division	(2) Respective new Division
Amman Valley	Dinefwr
Carmarthen	Carmarthen South
Cemaes	Gogledd Preseli
Dewsland Haverfordwest	Cleddau
Fishguard	Gogledd Preseli
Llandeilo	Dinefwr
Llandovery (except in relation to the area of the communities of Llanycrwys and Pencarreg)	Dinefwr
Llandovery (in relation to the area of the communities of Llanycrwys and Pencarreg)	Carmarthen North
Milford Haven	Cleddau
Narberth	South Pembrokeshire
Newcastle Emlyn	Carmarthen North
Pembroke	South Pembrokeshire
Pencader	Carmarthen North
St. Clears	Carmarthen South
Tenby	South Pembrokeshire
Whitland	Carmarthen South

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order gives effect to a draft Order submitted by the magistrates' courts committee for the County of Dyfed and provides for the reorganisation of petty sessional divisions within the county.

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