MAGISTRATES COURTS

JURISDICTION

1957 No. 211

The County of London Justices (Jurisdiction) Order, 1957

Made - - - - 11*th February*, 1957
Coming into Operation 1*st March*, 1957

In pursuance of the power conferred upon me by subsection (9) of section eleven of the Justices of the Peace Act, 1949(a), I hereby make the following Order:—

1. Subject to the provisions of this Order, justices acting for any petty sessional division of the county of London (not being metropolitan stipendiary magistrates) shall not take any classes of case except those specified in the Schedule to this Order.

2. This Order shall not apply—

(*a*) to justices sitting as members of a divisional licensing committee constituted under section two of the Licensing Act, 1953(b);

(*b*) to justices sitting as members of a juvenile court in the metropolitan stipendiary court area constituted under paragraph 2 of the Second Schedule to the Children and Young Persons Act, 1933(c);

(*c*) to justices sitting as members of a magistrates' court constituted for the metropolitan stipendiary court area, or any part thereof, by an order made or having effect as if made under subsection (4) of section one hundred and nineteen of the Magistrates' Courts Act, 1952(d);

(*d*) to justices sitting in a metropolitan stipendiary court;

(*e*) to justices sitting in any part of the county of London outside the metropolitan stipendiary court area.

3.—(1) In this Order "metropolitan stipendiary magistrate", "metropolitan stipendiary court area" and "metropolitan stipendiary court" have the meanings assigned to those expressions by subsection (1) of section forty-four of the Justices of the Peace Act, 1949, so however that in paragraphs (*b*) and (*c*) of the foregoing Article the references to the metropolitan stipendiary court area shall be construed as including the City of London.

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment, whether passed before or after the coming into operation of this Order.

(3) The Interpretation Act, 1889(e), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

4. The County of London Justices (Jurisdiction) Order, 1953(f), is hereby revoked.

(a) 12, 13 & 14 Geo. 6. c. 101.
(b) 1 & 2 Eliz. 2. c. 46.
(c) 23 & 24 Geo. 5. c. 12.
(d) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
(e) 52 & 53 Vict. c 63.
(f) S.I. 1953/496 (1953 I, p. 1003).

5. This Order may be cited as the County of London Justices (Jurisdiction) Order, 1957, and shall come into operation on the first day of March, 1957.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
11th February, 1957.

SCHEDULE

Article 1

CLASSES OF CASE WHICH MAY BE TAKEN

1. Proceedings under the Highway Act, 1835(a), other than proceedings in respect of an offence constituted by that Act.

2. Proceedings under the Lunacy and Mental Treatment Acts, 1890 to 1930, or the Mental Deficiency Acts, 1913 to 1927, other than proceedings in respect of an offence constituted by any of those Acts.

3. Proceedings under any local Act, whether passed before or after the coming into operation of this Order.

4. Proceedings under any byelaws made by the London County Council or the council of a metropolitan borough.

5.—(1) Without prejudice to the foregoing provisions of this Schedule, proceedings under any of the enactments specified in the Appendix to this Schedule.

(2) Any reference in the said Appendix to an enactment shall be construed as including a reference to any order, rule, regulation or other instrument made under that enactment, whether before or after the coming into operation of this Order.

6. Subject to paragraphs 1 and 2 of this Schedule, any reference in this Schedule to proceedings shall be construed as including a reference to any proceedings in a magistrates' court, whether commenced by information or complaint or otherwise, but shall not be construed as including proceedings in respect of an indictable offence within the meaning of section one hundred and twenty-five of the Magistrates' Courts Act, 1952.

APPENDIX

Schedule
Paragraph 5 (1)

Session and Chapter	Enactment	Subject matter of enactment
1 & 2 Will. 4. c. 32.	Game Act, 1831.	Dealers in game.
2 & 3 Will. 4. c. 42.	Allotments Act, 1832.	Recovery of possession; arrears of rent.
1 & 2 Vict. c. 74.	Small Tenements Recovery Act, 1838.	Recovery of possession.
6 & 7 Vict. c. 68.	Theatres Act, 1843.	Theatres and plays.
8 & 9 Vict. c. 20.	Railways Clauses Consolidation Act, 1845.	Offences and other proceedings connected with railways.

(a) 5 & 6 Will. 4. c. 50.

Session and Chapter	Enactment	Subject matter of enactment
12 & 13 Vict. c. 14.	Distress for Rates Act, 1849.	Enforcement of rates.
18 & 19 Vict. c. 120.	Metropolis Management Act, 1855.	Recovery of penalties; determination and recovery of damage, costs or expenses.
18 & 19 Vict. c. 128.	Burial Act, 1855.	Unlawful burial.
20 & 21 Vict. c. 81.	Burial Act, 1857.	Burial grounds and dead bodies.
23 & 24 Vict. c. 27.	Refreshment Houses Act, 1860.	Penalties in connection with refreshment houses.
23 & 24 Vict. c. 90.	Game Licences Act, 1860.	Licences to deal in game.
25 & 26 Vict. c. 102.	Metropolis Management Amendment Act, 1862.	Recovery of rates; recovery of penalties and expenses.
30 & 31 Vict. c. 5.	Dog Licences Act, 1867.	Keeping unlicensed dog; failing to produce licence.
33 & 34 Vict. c. 57.	Gun Licence Act, 1870.	Using or carrying unlicensed gun; failing to produce licence or give name and address.
35 & 36 Vict. c. 93.	Pawnbrokers Act, 1872, except section forty.	Offences by pawnbrokers and auctioneers; unlawful pawning; offences by pawners.
41 & 42 Vict. c. 49.	Weights and Measures Act, 1878.	Weights and measures.
45 & 46 Vict. c. 56.	Electric Lighting Act, 1882.	Supplies of electricity.
51 & 52 Vict. c. 33.	Hawkers Act, 1888.	Hawkers.
52 & 53 Vict. c. 21.	Weights and Measures Act, 1889.	Weights and measures.
53 & 54 Vict. c. 54.	Metropolis Management Act, 1862, Amendment Act, 1890.	Recovery of expense.
53 & 54 Vict. c. 66.	Metropolis Management Amendment Act, 1890.	Recovery of expenses; removal of subsoil.
57 & 58 Vict. c. 60.	Merchant Shipping Act, 1894, section two hundred and fourteen.	Seamen's lodging houses.
61 & 62 Vict. c. 53.	Libraries Offences Act, 1898.	Public libraries.
62 & 63 Vict. c. 14.	London Government Act, 1899, subsection (2) of section ten.	Enforcement of rates.
9 Edw. 7. c. 30.	Cinematograph Act, 1909.	Cinema exhibitions.
3 & 4 Geo. 5. c. 17.	Fabrics (Misdescription) Act, 1913.	Sales with misleading descriptions as to inflammability.
10 & 11 Geo. 5. c. 17.	Increase of Rent and Mortgage Interest (Restrictions) Act, 1920.	Offences in connection with rent-restricted premises.
13 & 14 Geo. 5. c. 13.	Rent Restrictions (Notices of Increase) Act, 1923.	False statements, etc.
13 & 14 Geo. 5. c. 32.	Rent and Mortgage Interest Restrictions Act, 1923.	Offences in connection with subletting.
15 & 16 Geo. 5. c. 38.	Performing Animals (Regulation) Act, 1925.	Exhibition and training of performing animals.
15 & 16 Geo. 5. c. 50.	Theatrical Employers Registration Act, 1925.	Offences by theatrical employers.

Session and Chapter	Enactment	Subject matter of enactment
16 & 17 Geo. 5. c. 45.	Fertilisers and Feeding Stuffs Act, 1926.	Sale of fertilisers and feeding stuffs.
16 & 17 Geo. 5. c. 51.	Electricity (Supply) Act, 1926.	Recovery of compensation, expenses and charges for reconnection.
16 &17 Geo. 5. c. 63.	Sale of Food (Weights and Measures) Act, 1926.	Sale of food.
17 & 18 Geo. 5. c. 21.	Moneylenders Act, 1927, section one.	Moneylenders' licences.
18 & 19 Geo. 5. c. 19.	Agricultural Produce (Grading and Marking) Act, 1928.	Offences in relation to grading and marking of agricultural and fishery produce.
18 & 19 Geo. 5. c. 32.	Petroleum (Consolidation) Act, 1928.	Keeping, etc. of petroleum spirit.
20 & 21 Geo. 5. c. 43.	Road Traffic Act, 1930, subsection (4) of section seven, sections forty-six and forty-seven, and subsection (2) of section one hundred and twelve.	Offences after disqualification; restricted use of vehicles on specified roads; temporary prohibition or restriction of traffic on roads; false statements in connection with licences.
22 & 23 Geo. 5. c. 51.	Sunday Entertainments Act, 1932.	Cinematograph entertainments on Sundays.
23 & 24 Geo. 5. c. 12.	Children and Young Persons Act, 1933, sections four, five, seven to twelve, eighteen to twenty - four, twenty - eight, thirty - nine, forty - nine, seventy - eight, eighty - two, eighty-five and eighty-seven.	Summary offences involving danger to persons under 16 years of age; employment: entertainments and performances; obstruction; publications in newspapers; escapes; contribution orders.
23 & 24 Geo. 5. c. 25.	Pharmacy and Poisons Act, 1933, Parts II and III.	Poison.
23 & 24 Geo. 5. c. 32.	Rent and Mortgage Interest Restrictions (Amendment) Act, 1933.	Offences in connection with sub letting; rent books.
23 & 24 Geo. 5. c. 39.	Slaughter of Animals Act, 1933.	Slaughter of animals.
24 & 25 Geo. 5. c. 50.	Road Traffic Act, 1934, section six.	Driving tests.
25 & 26 Geo. 5. c. 47.	Restriction of Ribbon Development Act, 1935, section twenty.	Contravention of order relating to new buildings.
26 Geo. 5. & 1 Edw. 8. c. 38.	Weights and Measures Act, 1936.	Weights and measures.
26 Geo. 5. & 1 Edw. 8. c. 50.	Public Health (London) Act, 1936.	Public health.
26 Geo. 5. & 1 Edw. 8. c. 51.	Housing Act, 1936.	Housing.
1 Edw. 8 & 1 Geo. 6. c. 45.	Hydrogen Cyanide (Fumigation) Act, 1937.	Fumigation of premises and articles with hydrogen cyanide.
1 Edw. 8. & 1 Geo. 6. c. 67.	Factories Act, 1937, Part I, subsection (1) of section fifty-four and section one hundred and thirty in its application thereto.	General health provisions; use of basement bakehouses.

Session and Chapter	Enactment	Subject matter of enactment
1 & 2 Geo. 6. c. 26.	Increase of Rent and Mortgage Interest (Restrictions) Act, 1938.	Rent books; disclosure of landlord's name and address.
1 & 2 Geo. 6. c. 37.	Street Playgrounds Act, 1938.	Streets closed for use as playgrounds.
1 & 2 Geo. 6. c. 69.	Young Persons (Employment) Act, 1938.	Employment of persons under eighteen years of age.
2 & 3 Geo. 6. c. 13.	Cancer Act, 1939, section four.	Prohibition of certain advertisements.
2 & 3 Geo. 6. c. 40.	London Government Act, 1939, sections one hundred and eighty-one and one hundred and eighty-seven.	Withholding or damaging property of local authority; destroying notices, etc.
2 & 3 Geo. 6. c. 56.	Riding Establishments Act, 1939.	Riding establishments.
3 & 4 Geo. 6. c. 31.	War Charities Act, 1940.	War charities.
4 & 5 Geo. 6. c. 42.	Pharmacy and Medicines Act, 1941, sections eleven and twelve.	Disclosure of composition of medicines; restriction on sale of medicines.
6 & 7 Geo. 6. c. 17.	Nurses Act, 1943, Part II.	Agencies for supply of nurses.
7 & 8 Geo. 6. c. 31.	Education Act, 1944.	Education.
8 & 9 Geo. 6. c. 42.	Water Act, 1945.	Supplies of water.
9 & 10 Geo. 6. c. 20.	Building Materials and Housing Act, 1945.	Limitation of rent or purchase price.
9 & 10 Geo. 6. c. 34.	Furnished Houses (Rent Control) Act, 1946.	Offences in connection with rent control.
10 & 11 Geo. 6. c. 41.	Fire Services Act, 1947.	Fire hydrants; obstruction of fire fighting; false alarms.
10 & 11 Geo. 6. c. 51.	Town and Country Planning Act, 1947, Part III, except subsection (4) of section twenty-three, and section one hundred and three.	Control of development, etc.; obstruction; wrongful disclosure.
11 & 12 Geo. 6. c. 29.	National Assistance Act, 1948, except section forty-four.	Assistance of persons in need.
11 & 12 Geo. 6. c. 43.	Children Act, 1948, subsection (8) of section three, sections ten, twenty-nine, thirty-one, thirty-three and fifty-four.	Obstruction of parental rights of local authority; failing to maintain contact; voluntary homes and organisations; obstruction.
11 & 12 Geo. 6. c. 53.	Nurseries and Child-Minders Regulation Act, 1948.	Nurseries, etc.
11 & 12 Geo. 6. c. 67.	Gas Act, 1948.	Supplies of gas.
12, 13 & 14 Geo. 6. c. 40.	Landlord and Tenant (Rent Control) Act, 1949.	Offences in connection with rent control.
12, 13 & 14 Geo. 6. c. 55.	Prevention of Damage by Pests Act, 1949, Part I and section twenty-two in its application to Part I.	Prevention of damage by rats and mice.
12, 13 & 14 Geo. 6. c. 84.	War Damaged Sites Act, 1949, section sixteen.	Depositing rubbish.

Session and Chapter	Enactment	Subject matter of enactment
12, 13 & 14 Geo. 6. c. 89.	Vehicles (Excise) Act, 1949.	Excise duties on mechanically propelled vehicles.
14 Geo. 6. c. 26.	Adoption Act, 1950, Parts II and III and Part IV except sections thirty-nine and forty.	Adoption societies; supervision by welfare authorities; prohibition of certain payments; restrictions on advertisements.
14 Geo. 6. c. 28.	Shops Act, 1950.	Hours of closing; conditions of employment; Sunday trading.
14 Geo. 6. c. 36.	Diseases of Animals Act, 1950.	Diseases of animals.
14 Geo. 6. c. 39.	Public Utilities Street Works Act, 1950.	Street works code; code where apparatus is affected by certain works.
14 & 15 Geo. 6. c. 35.	Pet Animals Act, 1951.	Licences for and offences in relation to pet shops.
14 & 15 Geo. 6. c. 63.	Rag Flock and Other Filling Materials Act, 1951.	Clean filling materials in upholstered articles.
14 & 15 Geo. 6. c. 64.	Rivers (Prevention of Pollution) Act, 1951.	Pollution of rivers.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 42.	Heating Appliances (Fireguards) Act, 1952.	Dealing in unguarded electric or gas fires, etc.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	Customs and Excise Act, 1952, sections two hundred and thirty-three and two hundred and thirty-nine.	Excise licences.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 68.	Cinematograph Act, 1952.	Exhibitions for children.
1 & 2 Eliz. 2. c. 26.	Local Government (Miscellaneous Provisions) Act, 1953, section ten.	Closing orders.
1 & 2 Eliz. 2. c. 46.	Licensing Act, 1953, sections one hundred and twenty-six and one hundred and forty-eight.	Children in bars; applications for occasional licences.
2 & 3 Eliz. 2. c. 11.	Licensing (Seamen's Canteens) Act, 1954, section five.	Transfer of licences.
2 & 3 Eliz. 2. c. 30.	Protection of Birds Act, 1954.	Offences in relation to wild birds.
2 & 3 Eliz. 2. c. 39.	Agriculture (Miscellaneous Provisions) Act, 1954, section nine.	Collection of waste for animal food.
2 & 3 Eliz. 2. c. 53.	Housing Repairs and Rents Act, 1954.	Houses let in lodgings.
2 & 3 Eliz. 2. c. 59.	Slaughter of Animals (Amendment) Act, 1954.	Slaughter of animals.
4 & 5 Eliz. 2. c. 16.	Food and Drugs Act, 1955.	Food and drugs.
4 & 5 Eliz. 2. c. 45.	Small Lotteries and Gaming Act, 1956, section three.	Returns by promoters.
4 & 5 Eliz. 2. c. 52.	Clean Air Act, 1956.	Pollution of the air.
4 & 5 Eliz. 2. c. 67.	Road Traffic Act, 1956, sections fifteen and twenty-two.	Control of dogs on roads; offences relating to parking places.