STATUTORY INSTRUMENTS

1985 No. 1184

POLICE

The Police Authorities (Appointment of Magistrates) (Metropolitan Counties and Northumbria Police Area) Rules 1985

Made - - - -	*29th July* 1985
Coming into Operation	*7th August* 1985

In exercise of the powers conferred on me by sections 24(6) and 25(5) of the Local Government Act 1985(**a**), I hereby make the following Rules:—

Citation and commencement

1. These Rules may be cited as the Police Authorities (Appointment of Magistrates) (Metropolitan Counties and Northumbria Police Area) Rules 1985 and shall come into operation on 7th August 1985.

Appointments to metropolitan county police authorities

2.—(1) The members of a metropolitan county police authority to be appointed from the magistrates for the county, in pursuance of section 24(3) of the Local Government Act 1985 (hereinafter referred to as "the Act of 1985") and in accordance with a scheme (hereinafter referred to as "the county scheme") made under subsection (6) of that section by the joint magistrates' committee, shall, following the first appointments to the authority and subject to Rule 4(1) below and section 32(7) of the Act of 1985 (vacancy occurring before appointment takes effect), be appointed at least 7 days before the termination of the appointments of the members to be replaced; and the joint magistrates' committee shall give notice of the appointments to the authority as soon as is practicable.

(2) A member of a metropolitan county police authority appointed in accordance with this Rule shall serve thereon for a period of 4 years beginning with the day following the day on which the appointment of the member he replaces terminates.

First appointments

3. A member appointed from the magistrates for the county to a metropolitan county police authority before the appointed day in pursuance of section 30(1) of the Act of 1985 shall serve thereon until 31st May 1989.

(**a**) 1985 c. 51.

Casual vacancies

4.—(1) If a casual vacancy occurs on a metropolitan county police authority among the members appointed from the magistrates for the county, whether through death, resignation or otherwise, then the joint magistrates' committee for the county shall, as soon as practicable, make an appointment in accordance with the county scheme to fill the vacancy and give notice thereof to the said authority; and any appointment made under this Rule shall take effect when notice of the appointment is given as aforesaid.

(2) A member of an authority appointed from the magistrates for the county in accordance with this Rule or section 32(7) of the Act of 1985 shall serve thereon for the period for which the member he replaces would have served had the vacancy not occurred and nothing in Rule 2 or 3 above shall apply in relation to such an appointment.

Application of Rules to Northumbria police area

5. Rules 2, 3 and 4 above shall apply also to the appointment of magistrates in pursuance of section 25(2) of the Act of 1985 to the authority established for the Northumbria police area by subsection (1) of that section—

(*a*) with the substitution in the said Rule 2 for the reference to a scheme made under section 24(6) of the 1985 Act of a reference to a scheme made under section 25(5) thereof in respect of the county of Tyne and Wear and a scheme so made in respect of the county of Northumberland; and

(*b*) taking references to magistrates for a metropolitan county as references to magistrates for the county of Tyne and Wear or, as the case may be, the county of Northumberland, and references to a joint magistrates' committee for a metropolitan county as references to the joint magistrates' committee for the county of Tyne and Wear or, as the case may be, the magistrates' courts committee for Northumberland.

Leon Brittan,
One of Her Majesty's Principal Secretaries of State.

Home Office.
29th July 1985.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules make provision, supplementing sections 24 to 32 of the Local Government Act 1985, in relation to the time, manner and term of appointment of magistrates to the new police authorities established under Part IV of that Act for the metropolitan counties and the Northumbria police area.

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