STATUTORY INSTRUMENTS

2016 No. 546 (L. 7)

MAGISTRATES' COURTS, ENGLAND AND WALES

The Magistrates' Courts (Psychoactive Substances Act 2016) (Transfer of Proceedings) Rules 2016

Made - - - - 28th April 2016

Laid before Parliament 3rd May 2016

Coming into force in accordance with rule 1

The Lord Chief Justice, with the concurrence of the Lord Chancellor, makes the following Rules in exercise of the powers conferred by section 144 of the Magistrates' Courts Act 1980(**1**) and section 35(2) and (3) of the Psychoactive Substances Act 2016(**2**).

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Magistrates' Courts (Psychoactive Substances Act 2016) (Transfer of Proceedings) Rules 2016.

(2) These Rules come into force on the day on which, and immediately after, section 35 of the Psychoactive Substances Act 2016 comes into force.

(3) In these Rules, "the 2016 Act" means the Psychoactive Substances Act 2016.

Individual reaching age of 18 while proceedings in youth court are ongoing

2.—(1) Where—

(a) an individual against whom a prohibition order(**3**) is sought reaches the age of 18 while proceedings before a youth court for the making of the order are ongoing;

(b) an individual against whom a prohibition order has been made reaches the age of 18 while proceedings before a youth court for the variation or discharge of the order are ongoing; or

(**1**) 1980 c. 43. Section 144 has been amended by the Access to Justice Act 1999 (c. 22), Schedule 11, paragraphs 26 and 29; the Courts Act 2003 (c. 39), Schedule 8, paragraph 245 and Schedule 10; the Constitutional Reform Act 2005 (c. 4), Schedule 4, paragraphs 99 and 102; the Legal Services Act 2007 (c.29), Schedule 21, paragraphs 42 and 43; the Crime and Courts Act 2013 (c.22), Schedule 10, paragraphs 39, 52 and 99; and by S.I. 2012/2398, article 3(2), Schedule 2, paragraph 1.

(**2**) 2016 c. 2.

(**3**) The meaning of "prohibition order" is given in section 17 of the 2016 Act.