Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2012 No.

PUBLIC BODIES

The Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012

Made - - - - ***

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by sections 1, 6(1) and (5) and 35(2) of the Public Bodies Act 2011(**1**) ("the Act").

The Secretary of State considers that this Order—

(a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1) of the Act; and

(b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has consulted the Welsh Ministers in accordance with section 63(1) of the Government of Wales Act 2006(**2**).

The Secretary of State has consulted in accordance with section 10 of the Act.

A draft of this Order and an explanatory document containing the information required in section 11(2) of the Act have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3). In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation, commencement and extent

1.—(1) This Order may be cited as the Public Bodies (Abolition of Crown Court Rule Committee and Magistrates' Courts Rule Committee) Order 2012.

(**1**) 2011 c.25
(**2**) 2006 c.32

(2) Subject to paragraph (3), this Order comes into force on the day after the day on which it is made.

(3) Articles 2(4) and 3(3) come into force on the day after the day on which the other provisions of this Order come into force.

(4) Any amendment or repeal made by this Order has the same extent as the enactment to which it relates.

Abolition of Crown Court Rule Committee and transfer of function of making Crown Court Rules

2.—(1) The Crown Court Rule Committee (established under section 86 of the Senior Courts Act 1981(**3**)) is abolished.

(2) The function of making rules under section 84 of the Senior Courts Act 1981 (Crown Court rules) is transferred to the Lord Chief Justice.

(3) Schedule 1 (which makes consequential provision) has effect.

(4) In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), the entry for the Crown Court Rule Committee is repealed.

Abolition of Magistrates' Courts Rule Committee

3.—(1) The Magistrates' Courts Rule Committee (established under section 144 of the Magistrates' Courts Act 1980(**4**)) is abolished.

(2) Schedule 2 (which makes consequential provision) has effect.

(3) In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), the entry for the Magistrates' Courts Rule Committee is repealed.

Name
Parliamentary Under Secretary of State
Ministry of Justice

Date

(**3**) 1981 c.54.
(**4**) 1980 c.43.