



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 4

JP COURTS AND JPS

Appointment of JPs etc.

[^{F1}74A Exercise of functions by stipendiary magistrates

- (1) A stipendiary magistrate may, by reason of holding that office—
 - (a) exercise the same judicial and signing functions as are exercisable by a JP,
 - (b) do so in the same manner as a JP (including by using the title of office of JP).
- (2) For the purpose of subsection (1)—
 - (a) the acts of a stipendiary magistrate are valid as if the magistrate were a JP,
 - (b) it does not matter if an enactment from which a JP derives authority to act in a specific case does not bear to give equivalent authority to a stipendiary magistrate.
- (3) However, subsections (1) and (2) are subject to any provision of an enactment which expressly excludes a stipendiary magistrate from acting in a specific case.
- (4) This section does not limit any other functions of a stipendiary magistrate (in particular, those exercisable in that capacity only).]

Textual Amendments

- F1** S. 74A inserted (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), ss. 203, 206, [Sch. 7 para. 81](#); S.S.I. 2011/178, art. 2, Sch.

Status:

Point in time view as at 30/05/2014. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the *Criminal Proceedings etc. (Reform) (Scotland) Act 2007*, Section 74A.