



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

2007 asp 6

## PART 4

### JP COURTS AND JPS

#### *Appointment of JPs etc.*

#### **77 Records and validity of appointment etc.**

- (1) The Scottish Ministers are to maintain (in such form as they consider appropriate)—
  - (a) a list of all persons holding office as a JP or stipendiary magistrate,
  - (b) a record of—
    - (i) the instruments of appointment of those persons,
    - (ii) any order removing a JP or stipendiary magistrate from office.
- (2) The Scottish Ministers are to send to the clerk of each sheriff court a copy of the list and record mentioned in subsection (1) so far as relating to JPs and stipendiary magistrates appointed for the sheriffdom containing that sheriff court.
- (3) Where a sheriff clerk is sent a copy of something under subsection (2), the clerk is to make it available (in such form as the clerk considers appropriate) for public inspection.
- (4) No appointment of a JP, nor any act of a JP, is invalidated solely because—
  - (a) provision made under section 67(5) is not complied with,
  - (b) the residential requirement referred to in section 68(1) is not met, or
  - (c) a condition imposed under section 68(2) is not met.
- (5) No appointment of a stipendiary magistrate, nor any act of a stipendiary magistrate, is invalidated solely because—
  - (a) provision made under section 74(9) is not complied with, or
  - (b) a condition imposed by virtue of section 75(3)(a) is not met.