



Justices of the Peace Act 1968

1968 CHAPTER 69

An Act to make further provision for confining the office of justice of the peace to persons selected for it, and terminating the appointment of stipendiary magistrates under local Acts, and for matters arising thereout, and to forward in other respects the proper discharge of the functions of justices by amending the law as to age limits, payment of allowances, powers and qualifications of justices' clerks and their assistants and other matters; and for purposes connected therewith. [25th October 1968]

Modifications etc. (not altering text)

C1 Act repealed (S.) by [District Courts \(Scotland\) Act 1975 \(c. 20\)](#), [Sch.2](#)

1 Appointment of justices, oaths of office, etc.

- (1) F1
- (2) F2
- (4) F1
- (7) It is hereby declared that any court of record having a criminal jurisdiction has, as ancillary to that jurisdiction, the power to bind over to keep the peace, and power to bind over to be of good behaviour, a person who or whose case is before the court, by requiring him to enter into his own recognisances or to find sureties or both, and committing him to prison if he does not comply . . . F3
- (8) F1

Textual Amendments

- F1 Ss. 1(1)(4)–(6)(8), 2, 4(1)–(4) repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. II](#)
- F2 Ss. 1(2)(3), 5 repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, [Sch. 3](#)
- F3 Words repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Justices of the Peace Act 1968. (See end of Document for details)

2 F4

Textual Amendments

F4 Ss. 1(1)(4)–(6)(8), 2, 4(1)–(4) repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), Sch. 5 Pt. II

3 F5

Textual Amendments

F5 S. 3 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71(2)(b), Sch. 3

4
(1) F6
(5) F7

Textual Amendments

F6 Ss. 1(1)(4)–(6)(8), 2, 4(1)–(4) repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), Sch. 5 Pt. II
F7 S. 4(5)(6) repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

5 F8

Textual Amendments

F8 Ss. 1(2)(3), 5 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, Sch. 3

6 Provisions applying to Scotland.

(1)^{F9}; but otherwise the foregoing sections of this Act shall not extend to Scotland.
(2)^{F10}

Textual Amendments

F9 Words repealed by District Courts (Scotland) Act 1975 (c. 20), Sch. 2
F10 S. 6(2)(3) repealed by District Courts (Scotland) Act 1975 (c. 20), Sch. 2

7 Commencement, and power to provide for transitional matters.

(1) The provisions of section 1 of this Act and Schedules 1 to 3 shall not come into force until such day as Her Majesty may by Order in Council appoint, and a different

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day may be appointed for different provisions or for different purposes of the same provision.

- (2) An Order in Council under subsection (1) above may include such provision as appears to Her Majesty to be expedient for supplementing, as regards transitional matters, the provisions of this Act . . . ^{F11} and any provision included in an Order in Council by virtue of this subsection may be varied or revoked by a further Order in Council.
- (3) ^{F12}
- (4) The provisions of section 4 of this Act shall not come into force until such day as the Secretary of State may by order (to be made by statutory instrument) appoint, and a different day may be appointed for Scotland from the day appointed for England and Wales.
- (5) Any statutory instrument containing an Order in Council or order under this section shall be laid before Parliament after being made.

Textual Amendments

- F11** Words repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)
- F12** [S. 7\(3\)](#) repealed without prejudice to any order in Council made before 18.4.1973, by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)

Modifications etc. (not altering text)

- C2** Power of appointment conferred by s. 7(1) partly exercised: [S.I. 1968/2035](#), 1969/376, 1969/1373, 1971/412

8 Supplementary.

- (1) This Act may be cited as the Justices of the Peace Act 1968.
- (2) ^{F13}
- (3) This Act does not extend to Northern Ireland, . . . ^{F14}

Textual Amendments

- F13** [S. 8\(2\)](#) repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)
- F14** Words repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)

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SCHEDULES

F15F15 SCHEDULE 1

Textual Amendments

F15 Sch. 1 repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), **Sch. 5 Pt. II**

F15

SCHEDULE

2.

F16

Textual Amendments

F16 Sch. 2 repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, **Sch. 3**

SCHEDULE 3

Sections 1 and 7.

SUPPLEMENTARY PROVISIONS AS TO CITY OF LONDON AND LOCAL ACT STIPENDIARIES

PART I

PRINCIPAL PROVISIONS AS TO CITY OF LONDON

1 F17

Textual Amendments

F17 Sch. 3 para. 1 repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. I**

2, 3. F18

Textual Amendments

F18 Sch. 3 paras. 2, 3, 4(4), 15, 16 repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, **Sch. 3**

4 (1) F19

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(4) F20

Textual Amendments

F19 Sch. 3 Pt. 1 para. 4(1)–(3) repealed by Courts Act 1971 (c. 23), Sch. 11 Pts. III, IV

F20 Sch. 3 paras. 2, 3, 4(4), 15, 16 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

5 In the ^{M1}City of London Police Act 1839 for the definition of “justice” in section 2 (by which the word is defined to mean the Lord Mayor or any alderman or the recorder of the City) there shall be substituted— “justice” means a justice of the peace for the City of London ”.

Modifications etc. (not altering text)

C3 The text of Sch. 3 Pt. 1 para. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1839 c.xciv.

6 F21

Textual Amendments

F21 Sch. 3 para. 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

7 F22

Textual Amendments

F22 Sch. 3 Pt. 1 para. 7 repealed by Courts Act 1971 (c. 23), s. 56(4), **Sch. 11 Pt. IV**

8 F23

Textual Amendments

F23 Sch. 3 para. 8 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), **Sch. 9**

9 F24

Textual Amendments

F24 Sch. 3 Pt. 1 paras. 9, 10(1) repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), **Sch. 5 Pt. I**

10 (1) F25

(2) F26

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Textual Amendments

F25 Sch. 3 Pt. 1 paras. 9, 10(1) repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), **Sch. 5 Pt. I**

F26 Sch. 3 Pt. 1 paras. 10(2) repealed by Superannuation Act 1972 (c. 11), **Sch. 8**

PART II

11—14. **F27**

Textual Amendments

F27 Sch. 3 Pt. II paras. 11–14 and Sch. 4 repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), **Sch. 5 Pt. II**

PART III

15, 16. **F28**

Textual Amendments

F28 Sch. 3 paras. 2, 3, 4(4), 15, 16 repealed by Justices of the Peace Act 1979 (c. 55, SIF 82), s. 71, **Sch. 3**

F29F29 SCHEDULE 4

Textual Amendments

F29 Sch. 3 Pt. II paras. 11–14 and Sch. 4 repealed by Administration of Justice Act 1973 (c. 15), ss. 19(1), 20(6), **Sch. 5 Pt. II**

. **F29**

F30F30 SCHEDULE 5

Textual Amendments

F30 Sch. 5 repealed by Administration of Justice Act 1973 (c. 15), **Sch. 5 Pt. I**

. **F30**

Status:

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Changes to legislation:

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