



# 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]

### Annotations:

#### 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C1 Act repealed (S.) by [District Courts \(Scotland\) Act 1975 \(c. 20\)](#), [Sch.2](#)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) ..... <sup>F1</sup>

(2) ..... <sup>F2</sup>

(4) .....

(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 . . . <sup>F3</sup>

(8) .....

### Annotations:

#### Amendments (Textual)

F1 Ss. 1(1)(4)–(6)(8), 2, 4(1)–(4) repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt.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F2 Ss. 1(2)(3), 5 repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), s. 71, [Sch. 3](#)

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

**F3** Words repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt. I](#)

**2** ..... **F4**

**Annotations:**

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**Amendments (Textual)**

**F4** [Ss. 1\(1\)\(4\)–\(6\)\(8\), 2, 4\(1\)–\(4\)](#) repealed by [Administration of Justice Act 1973 \(c. 15\)](#), ss. 19(1), 20(6), [Sch. 5 Pt.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

**Annotations:**

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**Amendments (Textual)**

**F5** [S. 3](#) repealed by [Justices of the Peace Act 1979 \(c. 55, SIF 82\)](#), [s. 71\(2\)\(b\)](#), [Sch. 3](#)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

**Annotations:**

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**Amendments (Textual)**

**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**

**Annotations:**

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**Amendments (Textual)**

**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**

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

**Annotations:**

**Amendments (Textual)**

- 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 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 . . . <sup>F11</sup> 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) . . . . . <sup>F12</sup>
- (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.

**Annotations:**

**Amendments (Textual)**

- 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) . . . . . <sup>F13</sup>
- (3) This Act does not extend to Northern Ireland, . . . <sup>F14</sup>

**Annotations:**

**Amendments (Textual)**

- 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](#)

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

# SCHEDULES

F15

## SCHEDULE 1

**Annotations:**

**Amendments (Textual)**

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

SCHEDULE

2. ....

F16

**Annotations:**

**Amendments (Textual)**

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

**Annotations:**

**Amendments (Textual)**

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

2, 3. .... F18

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

**Annotations:**

**Amendments (Textual)**

**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**
- (4) ..... **F20**

**Annotations:**

**Amendments (Textual)**

**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 <sup>M1</sup>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 ”.

**Annotations:**

**Modifications etc. (not altering text)**

**C3** The text of Sch. 3 Pt. I 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**

**Annotations:**

**Amendments (Textual)**

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

- 7 ..... **F22**

**Annotations:**

**Amendments (Textual)**

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

- 8 ..... **F23**

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

**Annotations:**

**Amendments (Textual)**

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

9 ..... **F24**

**Annotations:**

**Amendments (Textual)**

**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**

**Annotations:**

**Amendments (Textual)**

**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**

**Annotations:**

**Amendments (Textual)**

**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**

**Annotations:**

**Amendments (Textual)**

**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**

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

SCHEDULE 4

**Annotations:**

**Amendments (Textual)**

**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**

.....

F30

SCHEDULE 5

**Annotations:**

**Amendments (Textual)**

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

.....

**Changes to legislation:**

There are currently no known outstanding effects for the Justices of the Peace Act 1968.