

SCHEDULES

SCHEDULE 1

JUSTICES OF THE PEACE (CONSEQUENTIAL RE-ENACTMENTS AND AMENDMENTS)

PART II

SUPPLEMENTAL LIST FOR ENGLAND AND WALES

- 4 (1) Subject to sub-paragraph (6) below there shall be entered in the supplemental list the name of any justice of the peace who is of the age of 70 years or over and neither holds nor has held high judicial office within the meaning of the Appellate Jurisdiction Act 1876 and the name of any justice of the peace who holds or has held such office and is of the age of 75 years or over:
- Provided that a person who on the date when his name falls to be entered in the supplemental list in accordance with this sub-paragraph holds office as chairman of the justices in a petty sessions area (whether by election under section 13 of the Justices of the Peace Act 1949 or, in the City of London, as Chief Magistrate or acting Chief Magistrate) shall have his name so entered on the expiration or sooner determination of the term for which he holds office on that date.
- (2) The Lord Chancellor may direct that the name of a justice of the peace for any area shall be entered in the supplemental list if the Lord Chancellor is satisfied either—
- (a) that by reason of the justice's age or infirmity or other like cause it is expedient he should cease to exercise judicial functions as a justice for the area ; or
 - (b) that the justice declines or neglects to take a proper part in the exercise of those functions.
- (3) On a person's appointment as a justice of the peace for any area the Lord Chancellor may direct that his name shall be entered in the supplemental list, if that person is appointed a justice for that area on ceasing to be a justice for some other area.
- (4) The name of a justice of the peace shall be entered in the supplemental list, if he applies for it to be so entered and the application is approved by the Lord Chancellor.
- (5) In relation to the entry in the supplemental list of the name of a person who is a justice of the peace only for any of the counties of Greater Manchester, Merseyside and Lancashire, sub-paragraphs (2) to (4) above shall have effect with the substitution for references to the Lord Chancellor of references to the Chancellor of the Duchy of Lancaster.
- (6) Nothing in this paragraph shall apply to a person holding office as stipendiary magistrate.
- 5 (1) A person's name shall be removed from the supplemental list if he ceases to be a justice of the peace.

Status: This is the original version (as it was originally enacted).

- (2) The name of any person, if not required to be entered in the supplemental list by paragraph 4(1) above, shall be removed from the list, if so directed by the Lord Chancellor or, where the person in question is a justice only for any of the counties of Greater Manchester, Merseyside and Lancashire, by the Chancellor of the Duchy of Lancaster.
- 6 (1) Subject to the following sub-paragraphs, a justice of the peace for any area, while his name is entered in the supplemental list, shall not by reason of being a justice for that area be qualified as a justice to do any act or to be a member of any committee or other body.
- (2) Sub-paragraph (1) above shall not preclude a justice from doing all or any of the following acts as a justice, that is to say—
- (a) signing any document for the purpose of authenticating another person's signature ;
 - (b) taking and authenticating by his signature any written declaration not made on oath ; and
 - (c) giving a certificate of facts within his knowledge or of his opinion as to any matter.
- (3) The entry of a person's name in the supplemental list shall also not preclude him, if so authorised by the Lord Chancellor, from acting as a judge of the Crown Court so long as he has not attained the age of 72 years.
- (4) No act or appointment shall be invalidated by reason of the disqualification under this paragraph of the person acting or appointed.
- 7 Any such act as is mentioned in paragraph 6(2)(a) to (c) above, where it may be done by a justice of the peace, may, subject to any express provision made to the contrary by any enactment or instrument relating to that act, be done also by any person who is chairman of the Greater London Council, mayor of a London borough or chairman of a county or district council in England or Wales.