



Criminal Justice Administration Act 1914

1914 CHAPTER 58

Miscellaneous and General

34 Appointment and remuneration of and accounting by justices' clerks

- (1) Clerks to justices shall continue to be appointed as heretofore, but no appointment made after the commencement of this Act shall be valid unless and until it is confirmed by the Secretary of State, and the Secretary of State shall, before confirming any such appointment, take into consideration any representations that may be made to him, in the case of the appointment of a clerk to borough justices by the council of the borough, and in the case of the appointment of a clerk to county justices by the standing joint committee of the county.
- (2) Notwithstanding the provisions of any other general or local Act to the contrary, the salaries of clerks to justices shall be fixed and may from time to time be varied—
 - (a) in the case of a clerk to borough justices, by the justices of the borough ; and
 - (b) in the case of a clerk to county justices, by the standing joint committee of the county :

Provided that—

- (i) in the case of the salary of a clerk to borough justices, the council of the borough ; and
- (ii) in the case of the salary of a clerk to county justices, the county justices for whom the clerk acts ; and
- (iii) in either case where the proposal is for a reduction of salary, the clerk to the justices

may appeal to the Secretary of State against the decision of the justices or standing joint committee, as the case may be, and the amount of the salary shall thereupon be determined by the Secretary of State.

- (3) If the justices for any petty sessional division make representations to the standing joint committee of the county with a view to the variation of the salary of their clerk, the standing joint committee shall at a meeting of which special notice has been given take into consideration the question of varying the salary.

Status: This is the original version (as it was originally enacted).

- (4) The authority by whom the salary of a clerk is fixed may allow him such special remuneration in addition to his salary as they may, subject to the approval of the Secretary of State, determine, in respect of any duties which were not taken into account in fixing his salary.
- (5) Nothing in the foregoing provisions of this section shall apply to clerks at metropolitan police courts nor to the clerks to the justices of the city of London nor to the clerk to any stipendiary magistrate other than a stipendiary magistrate appointed under the Municipal Corporations Act, 1882.
- (6) If any clerk to justices fails without sufficient reason to account for or pay over any sum within one month from the time when he was required to account for or pay over the sum under section six of the Justices' Clerks Act, 1877, he shall be deemed to have wilfully omitted to account for or pay over that sum within the meaning of that section, but no person shall sue for a sum recoverable under that section, as amended by this section, except the person or authority to whom the account or payment is required to be made.