

1968 No. 2035 (C. 31)

**JUSTICES OF THE PEACE****The Justices of the Peace Act 1968 (Commencement  
No. 1) Order 1968**

<i>Made - - - -</i>	<i>20th December 1968</i>
<i>Laid before Parliament</i>	<i>31st December 1968</i>
<i>Coming into Operation</i>	<i>1st February 1969</i>

At the Court at Buckingham Palace, the 20th day of December 1968

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 7 of the Justices of the Peace Act 1968(a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) Subject to paragraph 2, the provisions of section 1, other than the words from “but” to the end of subsection (5) and subsection (8), of, and of Schedule 1 to, the Act shall come into operation on 1st February 1969:

Provided that any person who is on that date mayor of any borough (including a borough included in a rural district), chairman of the Greater London Council or chairman of a county council or district council (within the meaning of the Local Government Act 1933(b), shall continue to be a Justice of the Peace by virtue of that office until the expiration of his current term of office.

(2) So much of Part II of Schedule 5 to the Act as is set out in the Schedule to this Order shall come into operation on 1st February 1969.

2. Paragraph 9 of Schedule 3 to the Act, and so much of section 1(2) of the Act as relates to that paragraph, shall come into operation on 1st February 1969, but otherwise this Order shall not apply in relation to the City of London.

3. This Order may be cited as the Justices of the Peace Act 1968 (Commencement No. 1) Order 1968, and shall come into operation on 1st February 1969.

*W. G. Agnew.*

## SCHEDULE

Chapter	Title or Short Title	Extent of Repeal
11 Hen. 6. c. 6. 27 Hen. 8. c. 24.	— The Jurisdiction in Liberties Act 1535.	The whole chapter Section 19, so far as unrepealed.
37 Hen. 8. c. 1.	The Custos Rotulorum Act 1545.	The whole Act, so far as unrepealed.
1 Edw. 6. c. 7.	The Justices of the Peace Act 1547.	The whole Act, so far as unrepealed.
3 Chas. 1. c. 1.	The Petition of Right.	Sections 3 to 5 and in section 8 the words from "And that no" to "detained". Section 6.
16 Chas. 1. c. 10.	The Habeas Corpus Act 1640.	Section 6.
1 Will. & Mary c. 21. 6 & 7 Will. 4. c. 19.	The Great Seal Act 1688. The Durham (County Palatine) Act 1836.	Section 3. Section 3.
24 & 25 Vict. c. 96. 24 & 25 Vict. c. 97.	The Larceny Act 1861. The Malicious Damage Act 1861.	Section 117. Section 73.
24 & 25 Vict. c. 98. 24 & 25 Vict. c. 100.	The Forgery Act 1861. The Offences against the Person Act 1861.	Section 51. Section 71.
28 & 29 Vict. c. 124.	The Admiralty Powers, &c. Act 1865,	Section 5.
37 & 38 Vict. c. 45.	The County of Hertford and Liberty of St. Alban Act 1874.	In section 5 the words "and custos rotulorum", and the words "or the office of custos rotulorum".
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1882.	Section 157(2) from "and made" onwards. Section 163(4) from "and made" onwards. In section 168(2) the words "the making of a declaration as in the Eighth Schedule". Sections 239, 240 and 249. Schedule 8, so far as unrepealed.
49 & 50 Vict. c. 31.	The Oxford University (Justices) Act 1886.	The whole Act.
51 & 52 Vict. c. 41.	The Local Government Act 1888.	Section 78(2) from "but" onwards.
3 & 4 Geo. 5. c. 27.	The Forgery Act 1913.	Section 12, so far as unrepealed.
6 & 7 Geo. 5. c. 50.	The Larceny Act 1916.	Section 37(5), so far as unrepealed.
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933.	Section 3(5). Section 5(3) from "except" onwards. Section 18(7), (8) and (10). Section 20(3) from "and" onwards. Section 33(5). Section 34(2) from "except" onwards. Section 12(2) and (3).
26 Geo. 5 & 1 Edw. 8. c. 16.	The Coinage Offences Act 1936.	

Chapter	Title or Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	<p>In section 1(3) the words "Subject to the next following subsection", and section 1(4).</p> <p>Section 2.</p> <p>In section 4, subsection (4)(a) (from the beginning of the year 1969).</p> <p>Section 13(3) from "and" onwards.</p> <p>In section 20(4), in paragraph (a) the words from "clerk to a stipendiary magistrate" to "aforesaid and" and the last "or", and paragraph (b), but not as respects qualification by service before the coming into force of this repeal.</p> <p>Section 25(6).</p> <p>Section 33(2), from the passing of this Act (but not as respects a magistrate appointed before that time).</p> <p>Schedule 1.</p>
15 & 16 Geo. 6. & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	<p>In Schedule 2, paragraph 19.</p> <p>In section 118(3) the words from "appointed" to "1949".</p>
4 & 5 Eliz. 2. c. 34.	The Criminal Justice Ad- ministration Act 1956.	<p>Section 13(4) from the passing of this Act (but not as respects a magistrate appointed before that time).</p>
5 & 6 Eliz. 2. c. 27. 7 & 8 Eliz. 2. c. 22.	The Solicitors Act 1957. The County Courts Act 1959.	<p>Section 33(3).</p> <p>Section 11.</p>
1963 c. 33.	The London Government Act 1963.	<p>In Schedule 4, paragraph 5.</p>
1964 c. 26.	The Licensing Act 1964.	<p>In section 57(1) the words "Subject to the following provisions of this section", and section 57(3).</p>
1964 c. 42.	The Administration of Justice Act 1964.	<p>Section 5(3) from "and section 11" onwards.</p> <p>In section 13(2) the words "The custos rotularum for the inner London area" and the words "for that area".</p> <p>Section 30(3) and (4).</p> <p>Section 33.</p> <p>In Schedule 3, in paragraph 11 the word "and"; paragraph 12(2); in paragraph 14(1) the words "3(1), 4 and"; paragraph 15; paragraph 19(1); paragraph 22(4); paragraph 24; and paragraph 28(3).</p>

Chapter	Title or Short Title	Extent of Repeal
1965 c. 28.	The Justices of the Peace Act 1965.	Section 1(2), but not as respects qualification by service before the coming into force of this repeal.
1967 c. 58.	The Criminal Law Act 1967.	Section 7(4).

#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

The effect of section 1 of the Justices of the Peace Act 1968 is that a person shall no longer be a Justice of the Peace by virtue of his holding some other office. This Order brings that provision into force, but existing heads of local authorities will continue to be Justices by virtue of those offices until the end of their current terms of office.

The Order does not apply to the City of London, in respect of which a number of arrangements have to be made before the provisions of the Act can be brought into effect there, except to enable a Commission of the Peace for the City to be issued.