

1968 No. 2052

JUSTICES OF THE PEACE

The Justices (Supplemental List) Rules 1968

Made 20th December 1968

Coming into Operation 1st January 1969

The Lord Chancellor, in exercise of the powers conferred on him by section 4 of the Justices of the Peace Act 1949(a) and by virtue of section 2 of the Justices of the Peace Act 1968(b), hereby makes the following Rules :—

1.—(1) These Rules may be cited as the Justices (Supplemental List) Rules 1968 and shall come into operation on 1st January 1969 :

Provided that, as regards the year 1969 and the three following years, the references in paragraphs (a) and (b) in Rule 3 to the age of 70 years shall be deemed to be references for 1969 to an age of 74 years, for 1970 to an age of 73 years, for 1971 to an age of 72 years and for 1972 to an age of 71 years ; and if, at the beginning of any of these years or of the year 1973, a person is of or over the age relevant for that year to those paragraphs, he shall be treated for the purposes of those paragraphs as having held since attaining that age any office mentioned in the said paragraph (a)(i) which he holds at the beginning of that year.

(2) The Interpretation Act 1889(c) applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. Subject to the provisions of these Rules, there shall be kept in connection with every Commission of the Peace issued by Her Majesty a list to be called the "Supplemental List".

3. Subject to the provisions of these Rules, the Clerk of the Peace for every county and in the City of London and, in every borough having a separate Commission of the Peace, the Town Clerk, or, as the case may be, the Clerk of the Peace or other officer having the custody of the Commission, shall enter in the Supplemental List kept for that county or borough the name of any person appointed a Justice by the Commission or being an Alderman of the City of London—

(a) who is of the age of 75 years or over and neither—

(i) on attaining the age of 70 years holds or has held office as chairman or deputy chairman of a court of quarter sessions or as a recorder of a borough (including Recorder of Liverpool or Manchester) ; nor

(ii) holds or has held high judicial office within the meaning of the Appellate Jurisdiction Act 1876(d) ; or

(a) 1949 c. 101.

(c) 1889 c. 63.

(b) 1968 c. 69.

(d) 1876 c. 59.

- (b) who, after attaining the age of 70 years while holding an office mentioned in paragraph (a)(i) above, no longer holds any such office and who neither holds nor has held high judicial office ; or
- (c) who is of the age of 75 years or over ; or
- (d) who applies to have his name entered therein and obtains the approval of the Lord Chancellor for such entry to be made ; or
- (e) whose name is directed by the Lord Chancellor to be so entered in pursuance of section 4(4) of the Justices of the Peace Act 1949.

4. The Clerk of the Peace, Town Clerk or other officer shall remove from the Supplemental List—

- (a) any name which the Lord Chancellor may direct him to remove from that list ; or
- (b) the name of any person who has ceased to be a Justice.

5. These Rules shall apply to a Justice of the Peace whether appointed before or after the coming into operation of the Rules.

6. These Rules shall not extend to Scotland nor apply to the County Palatine of Lancaster or to any Commission of the Peace issued in connection with the County of Lancaster or any borough within that county having a separate Commission of the Peace.

7.—(1) The Justices (Supplemental List) Rules 1950(a) are hereby revoked.

Dated 20th December 1968.

Gardiner, C.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules replace the Justices (Supplemental List) Rules 1950 so as to give effect to section 2 of the Justices of the Peace Act 1968, which lowers the retiring age of Justices from 75 to 70 years.

(a) S.I. 1950/594 (1950 I, p.1149).