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STATUTORY INSTRUMENTS

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**1995 No. 41**

**MAGISTRATES' COURTS**

**The Justices of the Peace Act 1949  
(Compensation) (Variation) Regulations 1995**

*Made* - - - - *12th January 1995*

*Coming into force* - - *3rd February 1995*

The Lord Chancellor, in exercise of the powers conferred by paragraph 13(1) of Schedule 1 to the Justices of the Peace Act 1979(1), and now vested in him(2), hereby makes the following Regulations—

1. These Regulations may be cited as the Justices of the Peace Act 1949 (Compensation) (Variation) Regulations 1995 and shall come into force on 3rd February 1995.

2. For regulation 3 of the Justices of the Peace Act 1949 (Compensation) Regulations 1978(3) there shall be substituted the following—

“3.—(1) These Regulations shall apply to any person who—

- (a) held the office of justices' clerk on 2nd February 1995 and continues to hold such office immediately before the material date; or
- (b) was employed in assisting the holder of the office of justices' clerk in the performance of the duties of that office on 2nd February 1995 and either—
  - (i) remains so employed, or
  - (ii) left that employment to hold office as a justices' clerk and continues to hold such office,

immediately before the material date.

(2) Paragraph (1) shall apply notwithstanding that the determining authority is not the magistrates' courts committee which had appointed the person to the office of justices' clerk held on 2nd February 1995 or, as the case may be, by which the person was employed on 2nd February 1995.”

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(1) 1979 c. 55; the Justices of the Peace Act 1949 (Compensation) Regulations 1978 (S.I. 1978/1682) were made under powers contained in section 42 of the Justices of the Peace Act 1949 (c. 101). This section was repealed by the Justices of the Peace Act 1979 but paragraph 13(1) of Schedule 1 to that Act saved the Regulations from lapse and provided that they may be revoked or varied.

(2) S.I. 1992/709.

(3) S.I. 1978/1682.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated 12th January 1995

*Mackay of Clashfern, C.*

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations vary the Justices of the Peace Act 1949 (Compensation) Regulations 1978 so as to provide that those Regulations apply only to justices' clerks and their assistants in post on or before 2nd February 199