



Magistrates' Courts Act (Northern Ireland) 1964

1964 CHAPTER 21

PART II

RESIDENT MAGISTRATES AND JUSTICES OF THE PEACE

APPOINTMENT AND REMOVAL OF RESIDENT MAGISTRATES

[^{F19} Appointment and assignment of resident magistrates.

- (1) Her Majesty may^{F2} . . . appoint fit and proper persons to be resident magistrates, being persons who at the dates of their appointments^[F3] are—
- (a) members of the Bar of Northern Ireland of at least seven years' standing; or
 - (b) solicitors of the^[F4]Court of Judicature] of at least seven years' standing.]

Subs. (2) rep. by 2002 c. 26

- (3) A resident magistrate shall sit in accordance with directions given by the^[F5]Lord Chief Justice].
- (4) A resident magistrate may, in accordance with such directions, sit ^[F6]in any magistrates' court] .
- (5) Subject to subsections (3) and (4), the^[F5]Lord Chief Justice] may assign a resident magistrate to one or more ^[F7]divisions] and may from time to time vary any such assignment.]

^[F8](6) In subsection (5) “division” means an administrative court division specified under section 2 of the Justice Act (Northern Ireland) 2015 for all or the residual purposes of a magistrates' court.]

Changes to legislation: There are currently no known outstanding effects for the Magistrates' Courts Act (Northern Ireland) 1964. (See end of Document for details)

- F2** Words in s. 9(1) omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), ss. 2(4), 5(7)(a), **Sch. 5 para. 3**; S.I. 2010/812, **art. 2**
- F3** 2002 c. 26
- F4** Words in s. 9(1)(b) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 6(1); S.I. 2009/1604, **art. 2(d)**
- F5** Words in s. 9(3)(5) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 16; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 12(a)
- F6** Words in s. 9(4) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 57(2)(a)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F7** Words in s. 9(5) substituted (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 57(2)(b)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F8** S. 9(6) added (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 57(2)(c)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

10 Appointment of deputy resident magistrates.

- [^{F9}(1) The Northern Ireland Judicial Appointments Commission may appoint fit and proper persons, being persons who are eligible for appointment as district judges (magistrates' courts), to act as deputy district judges (magistrates' courts)—
- (a) during such period or periods as the Commission, with the agreement of the [^{F10}Department of Justice], may direct, and
 - (b) subject to such conditions as the Lord Chancellor may impose.]
- (2) Any deputy resident magistrate may exercise and perform all the functions of a resident magistrate.

- F9** S. 10(1) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3)(4), 5(7)(a), **Sch. 4 para. 4** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F10** Words in s. 10(1)(a) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 3**; S.R. 2010/147, **art. 2(2)**

11 Removal of resident magistrates from office.

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- F11** S. 11 repealed (3.4.2006) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 86, 87(1), Sch. 13; S.R. 2006/124, **art. 2**, Sch. paras. 9, 11(c)

Changes to legislation:

There are currently no known outstanding effects for the Magistrates' Courts Act (Northern Ireland) 1964.