



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 4

JP COURTS AND JPS

Appointment of JPs etc.

77 **Records and validity of appointment etc.**

- (1) The Scottish Ministers are to maintain (in such form as they consider appropriate)—
 - (a) a list of all persons holding office as a JP ^{F1} ...,
 - (b) a record of—
 - (i) the instruments of appointment of those persons,
 - (ii) any order removing a JP ^{F2} ... from office.
- (2) The Scottish Ministers are to send to the clerk of each sheriff court a copy of the list and record mentioned in subsection (1) so far as relating to JPs ^{F3} ... appointed for the sheriffdom containing that sheriff court.
- (3) Where a sheriff clerk is sent a copy of something under subsection (2), the clerk is to make it available (in such form as the clerk considers appropriate) for public inspection.
- (4) No appointment of a JP, nor any act of a JP, is invalidated solely because—
 - (a) provision made under section 67(5) is not complied with,
 - (b) the residential requirement referred to in section 68(1) is not met, or
 - (c) a condition imposed under section 68(2) is not met.

^{F4}(5)

Textual Amendments

- F1** Words in s. 77(1)(a) repealed (1.4.2016) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), [sch. 5 para. 40\(7\)\(a\)](#); S.S.I. 2016/13, art. 2, sch.

Changes to legislation: There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 77. (See end of Document for details)

- F2** Words in s. 77(1)(b)(ii) repealed (1.4.2016) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 40(7)(a)**; S.S.I. 2016/13, art. 2, sch.
- F3** Words in s. 77(2) repealed (1.4.2016) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 40(7)(b)**; S.S.I. 2016/13, art. 2, sch.
- F4** S. 77(5) repealed (1.4.2016) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 40(7)(c)**; S.S.I. 2016/13, art. 2, sch.

Commencement Information

- I1** S. 77 wholly in force at 22.2.2010; s. 77 not in force at Royal Assent, see s. 84; s. 77(1)(4) in force at 10.12.2007 by S.S.I. 2007/479, **art. 3, Sch.**; s. 77(2)(3)(5) in force for certain purposes at 10.3.2008, 2.6.2008, 8.12.2008, 23.2.2009, 14.12.2009 and 22.2.2010 otherwise by S.S.I. 2008/42, **art. 3, Sch.**; S.S.I. 2008/192, **art. 3, Sch.**; S.S.I. 2008/329, **art. 3, Sch.**; S.S.I. 2008/362, **art. 3, Sch.**; S.S.I. 2009/432, **art. 3(1)(2), Sch. 1, Sch. 2**

Changes to legislation:

There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 77.