

Metropolitan Magistrates' Courts Act, 1959

7 & 8 ELIZ. 2 CH. 45

ARRANGEMENT OF SECTIONS

Section

1. Increase in numbers of metropolitan stipendiary magistrates.
2. Provision for acting metropolitan stipendiary magistrates.
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CHAPTER 45

An Act to increase the maximum number of the metropolitan stipendiary magistrates; to authorise the appointment of acting stipendiary magistrates for the metropolitan stipendiary court area; to enable the Receiver to provide premises required for the probation system within the said area; and to make further provision with respect to the power of the Receiver to borrow money. [9th July, 1959]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. Section two of the Metropolitan Police Courts Act, 1839, and section two of the Metropolitan Police Courts Act, 1840 (which provide for regulating the numbers of the metropolitan magistrates' courts, the divisions to be assigned thereto and the number of stipendiary magistrates to be appointed therefor, subject in each case to the proviso that the total number of those magistrates shall not exceed twenty-seven) shall have effect as if for the word "twenty-seven" there were substituted the word "thirty-five".

Increase in numbers of metropolitan stipendiary magistrates. 2 & 3 Vict. c. 71. 3 & 4 Vict. c. 84.

2.—(1) If it appears to the Lord Chancellor that it is expedient so to do in order to avoid delays in the administration of justice in the metropolitan stipendiary court area, he may authorise any person, being a barrister of not less than seven years' standing or a solicitor of the Supreme Court of the like standing, to act as a metropolitan stipendiary magistrate during such period (not exceeding three months at one time) as the Lord Chancellor thinks fit.

Provision for acting metropolitan stipendiary magistrates.

(2) All things required or authorised by law to be done by, to or before a metropolitan stipendiary magistrate may be done by, to or before any person acting as such in pursuance of this section.

(3) The oaths required by law to be taken by a metropolitan stipendiary magistrate may, in the case of a person authorised to act as such under this section, be taken before any of the metropolitan stipendiary magistrates.

(4) The Lord Chancellor may, out of moneys provided by Parliament, pay to any person authorised to act under this section such remuneration as he may, with the approval of the Treasury, determine.

Power of Receiver to provide premises for probation purposes.

49 & 50 Vict. c. 22.

3.—(1) The Receiver shall have and shall be deemed always to have had the same powers with respect to land and buildings required for purposes of the probation system within the metropolitan stipendiary court area as he has with respect to land and buildings required for purposes of the metropolitan police force and the metropolitan magistrates' courts, and the provisions of the Metropolitan Police Act, 1886, as amended by subsequent enactments, shall have effect accordingly.

11 & 12 Geo. 6. c. 58.

(2) Any expenses of the Receiver under this section, to such amount as may be approved by the Secretary of State, shall be defrayed out of the metropolitan police fund, and subsection (3) of section seventy-seven of the Criminal Justice Act, 1948 (which provides for the payment out of moneys provided by Parliament of grant towards expenditure out of the metropolitan police fund under the Fifth Schedule to that Act), shall have effect as if the reference in paragraph (a) thereof to the said Fifth Schedule included a reference to this section.

Borrowing powers of Receiver.

4.—(1) The Receiver may, with the approval of the Secretary of State given with the consent of the Treasury, borrow on the security described in this section any money required—

(a) for acquiring any land or erecting any buildings;

(b) for the execution of any works or the provision of any equipment the cost of which ought in the opinion of the Secretary of State to be spread over a term of years.

(2) The security referred to in the foregoing subsection, in respect of money borrowed thereunder for the purposes of the metropolitan magistrates' courts, of the probation system within the metropolitan stipendiary court area, or of the metropolitan police force, is the sums for the raising of which the Receiver is authorised by section one hundred and twenty-one of the Local Government Act, 1948, to issue a precept in relation to expenses incurred for those purposes respectively.

11 & 12 Geo. 6. c. 26.

(3) The enactments described in the Schedule to this Act (being enactments relating to the borrowing powers of the Receiver) are hereby repealed to the extent specified in the third column of that Schedule; but without prejudice to section thirty-eight of the Interpretation Act, 1889, the repeal by this 52 & 53 Vict. subsection of those enactments shall not affect their operation c. 63. as respects money borrowed thereunder.

5.—(1) In this Act “the Receiver” means the Receiver for the Metropolitan Police District. Interpretation,
short title,
and citation.

(2) This Act may be cited as the Metropolitan Magistrates' Courts Act, 1959.

(3) The Metropolitan Police Acts, 1829 to 1946, the Metropolitan Police Act, 1933, and this Act may be cited together as the Metropolitan Police Acts, 1829 to 1959. 23 & 24 Geo. 5.
c. 33.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
49 & 50 Vict. c. 22.	The Metropolitan Police Act, 1886.	Section three. In section six, the words " and the raising of any loan by the police receiver under this Act " and the words " and also, in the case of a loan, of the Treasury ".
50 & 51 Vict. c. 45.	The Metropolitan Police Act, 1887.	Section two.
60 & 61 Vict. c. 26.	The Metropolitan Police Courts Act, 1897.	In section four, the words from " and the limit " to the end of the section.
60 & 61 Vict. c. 42.	The Metropolitan Police (Borrowing Powers) Act, 1897.	The whole Act.
25 & 26 Geo. 5. c. 16.	The Metropolitan Police (Borrowing Powers) Act, 1935.	The whole Act.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 19.	The Metropolitan Police (Borrowing Powers) Act, 1952.	The whole Act.

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