



Justices of the Peace Act 1968

1968 CHAPTER 69

2 Age for transfer of justice to supplemental list, or for retirement of stipendiary magistrate

- (1) Subject to subsections (3) and (4) below, rules made under section 4 of the Justices of the Peace Act 1949 shall provide for entering in the supplemental list the names of persons—
 - (a) who are of the age of seventy years or over and neither—
 - (i) on attaining the age of seventy years hold or held office as chairman or deputy chairman of a court of quarter sessions or as recorder of a borough ; nor
 - (ii) hold or have held high judicial office within the meaning of the Appellate Jurisdiction Act 1876 ; or
 - (b) who, after attaining the age of seventy years while holding an office mentioned in paragraph (a)(i) above, no longer hold any such office and who neither hold nor have held high judicial office ; or
 - (c) who are of the age of seventy-five years or over.
- (2) A stipendiary magistrate, if appointed after the passing of this Act, shall vacate his office at the end of the completed year of service in the course of which he attains the age of seventy ; and accordingly—
 - (a) in the case of a metropolitan stipendiary magistrate so appointed section 13(4) of the Criminal Justice Administration Act 1956 shall not apply ; and
 - (b) in the case of any other stipendiary magistrate so appointed, section 33(1) of the Justices of the Peace Act 1949 shall have effect as if in subsection (1)(a) for the words " the age of seventy-two " there were substituted the words " the age of seventy " and as if subsection (2) (under which a magistrate may be authorised to continue in office after the age of seventy-two but not after the age of seventy-five) were omitted.
- (3) Subsection (1) above shall not come into force until the year 1969, and as regards that and the three following years shall apply as if the references in paragraphs (a) and (b) to the age of seventy years were references for 1969 to an age of seventy-four years, for 1970 to an age of seventy-three years, for 1971 to an age of seventy-two years and for 1972 to an age of seventy-one years ; and if at the beginning of any of

Status: This is the original version (as it was originally enacted).

those 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 purposes of those paragraphs as having held since attaining that age any office mentioned in paragraph (a)(i) which he holds at the beginning of that year.

- (4) A person who holds office as chairman of the justices in a petty sessions area on the date when his name falls to be entered in the supplemental list in accordance with the foregoing provisions of this section shall have his name so entered on the expiration or sooner determination of the term for which he holds office on that date.