

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENT OF ENACTMENTS

The Savings Bank (Scotland) Act 1819

- 1 In section 2 (rules, etc., of Savings Banks including the confirmation of rules by justices), there shall be substituted—
- (a) for the words " Justices of the Peace assembled at the Quarter Sessions of the Peace " the words " the sheriff " ;
 - (b) for the word " Justices " the word " sheriff " ;
 - (c) for the words " Clerk of the said Justices " (wherever occurring) the words " the sheriff clerk " .
- 2 In section 4 (further provision in relation to the rules, etc., of Savings Banks), there shall be substituted—
- (a) for the words " the Clerk of the said Justices " the words " the sheriff clerk " ;
 - (b) for the word " Sixpence " the words " 20 pence " .

The Game Act 1831

- 3 In section 18 (licences to deal in game), for the words from the beginning to " less than two " there shall be substituted the words " Each islands and district council ", and for the words " such division or district " there shall be substituted the words " their area " .
- 4 In Schedule (A) (form of licence), for the words from the beginning to " said special session " there shall be substituted the words " The islands council of . . . (or, as the case may be) the . . . district council " , and the words after " (Signed) " shall cease to have effect.

The Criminal Law Amendment Act 1885

- 5 In section 13 (summary proceedings against brothel keeper), for the words " summary conviction " there shall be substituted the words " conviction in the sheriff court or the district court " , and the words from " Any person " to " such conviction " shall cease to have effect. ,

The Coal Mines Regulation Act 1887

- 6 In section 12 (payment of miners by weight), for the words " a chairman of a court of quarter sessions " there shall be substituted the words " the sheriff " .

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The Burgh Police (Scotland) Act 1892

- 7 In sections 120, 290, 333, 382, 405, 409, 410, 435, 438, 448, 453 and 467, and paragraphs (4), (5), (11), (17), (18), (20), (21), (22) and (24) of Schedule 5, for any reference to a magistrate there shall be substituted a reference to a district court.
- 8 In section 272 (regulations as to omnibuses etc.), for the words " islands or district council" (where second occurring) there shall be substituted the words " district court ".
- 9 In section 326 (penalty for obstruction of workmen), for the words " magistrates, or any of them " there shall be substituted the words " district court or a justice of the peace ".
- 10 In section 380(6) (penalties), for the word " magistrates " there shall be substituted the words " islands or district council ".
- 11 In section 402 (unlicensed theatres may be entered), for the words " Any magistrate " and the words " the magistrates " there shall be substituted the words " a district court ".
- 12 In section 403 (suppression of brothels), for the words " The magistrate " there shall be substituted the words " A district court ", for the words " the magistrate " there shall be substituted the words " the court " and for the words " two magistrates " there shall be substituted the words " district court ".
- 13 In section 404 (house for entertainments being a nuisance), for the words " The magistrates " and " two magistrates " there shall be substituted respectively the words " A district court " and " a district court ".
- 14 In section 412 (goods found to be reported to police office), for the word " magistrate " (wherever occurring) there shall be substituted the words " district court ".
- 15 In section 413 (stolen goods to be delivered up to owner), for the word " magistrate" (wherever occurring) there shall be substituted the words " district court ", for the word " he " there shall be substituted the words " the court ", and for the word "magistrate's" there shall be substituted the words " district court's ".
- 16 In section 415 (unclaimed property to be disposed of), for the word " magistrate " (wherever occurring) there shall be substituted the words " district court ".
- 17 In section 436 (brokers to produce articles and books on demand), for the word " magistrate " (except where first occurring) there shall be substituted the words " district court ".
- 18 In section 439 (defacer of stolen goods to be held to be resetter), for the word " magistrate " there shall be substituted the words " district court ".
- 19 In section 465 (previous convictions may be proved), for the words " the magistrate" (where first occurring) there shall be substituted the words " any court of summary jurisdiction ", for the word " magistrate " (where second occurring) there shall be substituted the word " court ", and for the word " he" there shall be substituted the words " the court ".
- 20 In section 468 (horse etc. of persons arrested may be secured), for the words " any two magistrates " there shall be substituted the words " the district court ".
- 21 In section 470 (watchman may be placed in charge of shops left open), for the words " the magistrate " (where first occurring) there shall be substituted the words " any

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court of summary jurisdiction ", and for the word " magistrate " (where second occurring) there shall be substituted the word " court ".

22 In section 484 (signing of convictions and warrants), for the word " magistrate " there shall be substituted the words " justice of the peace ".

23 In section 491 (deposits as security for appearances), for the word " magistrate" (wherever occurring) there shall be substituted the words " district court ", and for the words from " clerk " onwards there shall be substituted the words " local authority concerned ".

24 In section 511 (forms when recovering civil debt), for the word " magistrate " (where first and second occurring) there shall be substituted the words " district court ", and for the word " magistrate " (where last occurring) there shall be substituted the words " justice of the peace ".

The Public Order Act 1936

25 In section 8(6) (application to Scotland), for the words from " and to the council" onwards there shall be substituted the words " there shall be substituted references to a region ".

The Magistrates' Courts Act 1952

26 In section 72A(2) (transfer of fine orders, Scotland), for the words "fifty pounds" there shall be substituted the words " one hundred pounds ".

The Summary Jurisdiction (Scotland) Act 1954

27 In section 77 (interpretation), the following amendments shall be made—

- (a) in the definition of " Court " and " Court of summary jurisdiction ", for the words from " justice " onwards there shall be substituted the words " and district court ";
- (b) in the definition of " Justice of the peace ", for the words " for any " onwards there shall be substituted the words " for any commission area in Scotland acting within such commission area. ";
- (c) in the definition of " Prosecutor ", for the words " justice of the peace fiscal, burgh prosecutor " there shall be substituted the words " district prosecutor, deputy district prosecutor, assistant district prosecutor ".

The Licensing (Scotland) Act 1959

28 In section 6 (casual vacancies in licensing courts and court of appeal), for the words "the first meeting of a quarter sessions, statutory or adjourned," there shall be substituted the words " a special meeting of the justices convened by the clerk of the peace for that purpose, ".

The Police (Scotland) Act 1967

29 In section 16 (declarations by constables), for the words from "justice" to "burgh" there shall be substituted the words " or justice of the peace ".

30 In section 17(1)(c) (functions of constables), for the words from " justice " to " burgh" there shall be substituted the words " or justice of the peace ".

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- 31 In section 18(1) (jurisdiction of constables in border counties), for the words from " justice " to " magistrate " there shall be substituted the words " or justice of the peace ".
- 32 In section 45 (search warrants for police clothing etc.), for the words from " justice " to " burgh " there shall be substituted the words " or justice of the peace ".

SCHEDULE 2

REPEALS

Chapter	Short Title	Extent of Repeal
1661 c. 38.	The Justices of the Peace Act 1661.	The whole Act.
59 Geo. 3. c. 62.	The Savings Bank (Scotland Act) 1819.	In section 2, the words "for which Attestation" to "no more".
6 Geo. 4 c. 48.	The Justices of the Peace Small Debt (Scotland) Act 1825.	The whole Act.
1 & 2 Will. 4. c. 32.	The Game Act 1831.	In Schedule (A), the words after " (Signed)".
2 & 3 Will. 4. c. 75.	The Anatomy Act 1832.	In section 1, from the word "countersigned" onwards.
12 & 13 Vict. c. 34.	The Justices of the Peace Small Debt (Scotland) Act 1849.	The whole Act.
19 & 20 Vict. c. 48.	The Justices (Scotland) Act 1856.	The whole Act.
28 & 29 Vict. c. 124.	The Admiralty Powers etc. Act 1865.	Section 5.
31 & 32 Vict. c. 72.	The Promissory Oaths Act 1868.	In the Schedule, Second Part, under the heading "Scotland", the words " for counties and burghs".
34 & 35 Vict. c. 48.	The Promissory Oaths Act 1871.	In section 2, in the third paragraph, the words "or in open court at quarter sessions of the peace for the county, borough, or place in which the person taking the oaths acts as justice".
40 & 41 Vict. c. 41.	The Crown Office Act 1877.	In section 3, proviso (2), from the words "in particular" onwards.

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Chapter	Short Title	Extent of Repeal
48 & 49 Vict. c. 69.	The Criminal Law Amendment Act 1885.	In section 5, paragraph (1). In section 13, the words from " Any person " to " such conviction ".
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act 1892.	Section 4(7), (19) and (20). Section 287. In section 290, the words from "and such person" onwards. Section 431. In section 448, the words " in the absence of the magistrate or burgh prosecutor". In section 451, the words "magistrate or", in both places where they occur. In section 453, the words from " at the instance " onwards. Sections 455, 456, 497, 498 and 507 to 509.
60 & 61 Vict. c. 48.	The Stipendiary Magistrates Jurisdiction (Scotland) Act 1897.	The whole Act.
61 & 62 Vict. c. 20.	The Ex-officio Justices of the Peace (Scotland) Act 1898.	The whole Act.
3 Edw. 7. c. 25.	The Licensing (Scotland) Act 1903.	In section 70(4), the first paragraph. Sections 91 and 101. In section 107, the definition of "magistrate".
6 Edw. 7. c. 16.	The Justices of the Peace Act 1906.	The whole Act.
2 & 3 Geo. 5. c. 14.	The Protection of Animals (Scotland) Act 1912.	In section 13(f), the words "and any justice of the peace constable".
18 & 19 Geo. 5. c. 29.	The Slaughter of Animals (Scotland) Act 1928.	In section 7(d), the words " and any justice of the peace constable".
1 Edw. 8 & 1 Geo.6. c. 6.	The Public Order Act 1936.	Section 8(5).
1 Edw. 8 & 1 Geo. 6. c. 43.	The Public Records (Scotland) Act 1937.	Section 3.

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Chapter	Short Title	Extent of Repeal
		In section 14(1), the definition of "justice of the peace records " and, in the definition of " court records ", the words "and justice of the peace records".
		In section 14(2), the words "or is or is not a justice of the peace record ".
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act 1947.	Section 187.
12,13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	The whole Act
7 & 8 Eliz. 2. c. 51.	The Licensing (Scotland) Act 1959.	Sections 155, 189(e), 190, 191 and 194.
		In section 199, the definitions of "burgh court" and "magistrate".
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963.	In Schedule 1, in paragraph 20 (2), the words from "and that local authority" onwards.
1964 c. 42.	The Administration of Justice Act 1964.	Section 31.
1968 c. 65.	The Gaming Act 1968.	In Schedule 2, in paragraph 63 (2), the words from "and that local authority" onwards.
1968 c. 69.	The Justices of the Peace Act 1968,	The whole Act.