



Justices of the Peace Act 1949

1949 CHAPTER 101

PART I

PROVISIONS AS TO INDIVIDUAL JUSTICES

1 Residence qualification of justices

- (1) Subject to the provisions of this section, a person shall not be appointed justice of the peace by the commission of the peace for any area, nor act as justice of the peace by virtue of any such appointment, unless he resides in or within fifteen miles of that area.
- (2) If the Lord Chancellor is of opinion that it is in the public interest for a person to act as justice of the peace for a particular area though not qualified so to do under the foregoing subsection, he may direct that so long as any conditions specified in the direction are satisfied the foregoing subsection shall not apply in relation to that person's appointment as justice by the commission of the peace for the area so specified.
- (3) Subject to the next following subsection, where a person appointed justice of the peace by the commission of the peace for any area (whether so appointed before or after the coming into force of this section) is not qualified under the foregoing provisions of this section to act by virtue of the appointment, his name shall be removed from the commission if the Lord Chancellor is of opinion that the appointment ought not to continue having regard to the probable duration and other circumstances of the want of qualification.
- (4) Nothing in this section shall apply in relation to the appointment of a person, as holding or having been appointed to any office mentioned in the first column of the First Schedule to this Act, to be a justice of the peace for an area specified in relation to that office in the second column of that Schedule.
- (5) In the application of this section to the county palatine of Lancaster, references to the Chancellor of the Duchy of Lancaster shall be substituted for references to the Lord Chancellor.