

1968 No. 1997 (S.183)

JUSTICES OF THE PEACE

The Justices (Supplemental List) (Scotland) Rules 1968

Made - - - 16th December 1968

Coming into Operation 1st January 1969

In exercise of the powers conferred on me by section 4 of the Justices of the Peace Act 1949(a) (hereinafter referred to as "the Act") as read with the Transfer of Functions (Justices of the Peace) (Scotland) Order 1955(b) and section 6(2) of the Justices of the Peace Act 1968(c) and of all other powers enabling me in that behalf, I hereby make the following rules:—

1. These rules may be cited as the Justices (Supplemental List) (Scotland) Rules 1968 and shall come into operation on 1st January 1969.

2. The Interpretation Act 1889(d) applies for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

3. Subject to the provisions of these rules, there shall be kept in connection with every Commission of the Peace issued by Her Majesty a list to be called the "Supplemental List".

4.—(1) Subject to the provisions of these rules, the Clerk of the Peace for every county, and county of a city, shall enter in the Supplemental List kept for that county, or county of a city, the name of any person appointed a Justice by the Commission—

(a) who is of the age of seventy years or over and neither holds nor has held high judicial office within the meaning of the Appellate Jurisdiction Act 1876(e) or

(b) who applies to have his name entered therein and obtains the approval of the Secretary of State for such entry to be made; or

(c) whose name is directed by the Secretary of State to be so entered in pursuance of section 4(4) of the Act.

(2) As regards the year 1969 and the three following years, this rule shall apply as if the references in sub-paragraph (a) of paragraph (1) of this rule to the age of seventy years were a reference 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.

5. These rules shall apply to a person who under the Local Government (Scotland) Act 1947(f) is a Justice of the Peace for any area by virtue of his office as Lord Provost, or Provost, or Chairman of a local authority as they apply to a Justice appointed by the Commission.

(a) 1949 c. 101.

(c) 1968 c. 69.

(e) 1876 c. 59.

(b) S.I. 1955/240 (1955 I, p. 1199).

(d) 1889 c. 63.

(f) 1947 c. 43.

-
6. The Clerk of the Peace shall remove from the Supplemental List—
(a) any name which the Secretary of State may direct him to remove from that list ; or
(b) the name of any person who has ceased to be a Justice.
7. These rules shall apply to a Justice of the Peace whether appointed before or after the coming into force of the rules.
8. The Justices (Supplemental List) Rules 1950(a), in so far as applying to Scotland, are hereby revoked.

William Ross,
One of Her Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
16th December 1968.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules replace the Justices (Supplemental List) Rules 1950 in so far as they relate to Scotland, and they implement the changes made in the law by section 6(2) of the Justices of the Peace Act 1968.

(a) S.I. 1950/594 (1950 I, p. 1149).