

Justices of the Peace Act 1979 F1 (repealed 19.6.1997)

CHAPTER 55

JUSTICES OF THE PEACE ACT 1979 (REPEALED 19.6.1997)

PART I

GENERAL

Areas and commissions of the peace

- 1 Commission areas.
- 2 London commission areas.
- 3 Power to adjust London commission areas.
- 4 Petty sessions areas.
- 5 General form of commissions of the peace.

Justices other than stipendiary magistrates

- 6 Appointment and removal of justices of the peace.
- 7 Residence qualification.
- 8 Supplemental list for England and Wales.
- 9 Removal of name from supplemental list.
- 10 Effect of entry of name in supplemental list.
- 11 Records of justices of the peace.
- 12 Travelling, subsistence and financial loss allowances.

Stipendiary magistrates other than metropolitan stipendiary magistrates

- 3 Appointment and removal of stipendiary magistrates.
- 14 Retirement of stipendiary magistrates.
- 15 Acting stipendiary magistrate.

Place of sitting and powers of stipendiary magistrates.

PART II

ORGANISATION OF FUNCTIONS OF JUSTICES

General provisions

- 17 Chairman and deputy chairmen of justices.
- 18 Rules as to chairmanship and size of bench.

Magistrates' courts committees

- 19 General provisions as to magistrates' courts committees.
- 20 Constitution of magistrates' courts committees.
- 21 Powers of **Lord Chancellor** in relation to magistrates' courts committees.
- 22 Supplementary provisions as to magistrates' courts committees.
- 22A General powers and duties of magistrates' courts committees.
- 23 Powers and duties of committee as to petty sessional divisions.
- 24 Procedure relating to s. 23.
- 24A Alteration of names of petty sessions areas outside inner London Area.
- 24B Procedure relating to s. 24A.
- 24C Reports and plans.

Justices' chief executives, justices' clerks and staff

- 24D Appointment of justices' chief executive.
- 24E Functions of justices' chief executive.

Justices' clerks and their staffs

- 25 Appointment and removal of justices' clerks.
- 26 Qualifications for appointment as justices' clerk.
- 26A Justices' chief executives and justices' clerks to be employed under contracts of service.
 - 27 Conditions of service and staff of justices' clerks.
 - 28 General powers and duties of justices' clerks.
 - 29 Functions of justices' clerk as collecting officer.
 - 30 Person acting as substitute clerk to justices.
- 30A Independence of justices' clerk and staff in relation to legal functions.

PART III

INNER LONDON AREA

Metropolitan stipendiary magistrates

- 31 Appointment, removal and retirement of metropolitan stipendiary magistrates.
- 32 Allocation and sittings of metropolitan stipendiary magistrates.
- 33 Jurisdiction of metropolitan stipendiary magistrates and lay justices.
- 34 Acting metropolitan stipendiary magistrate.
- 34A Division of work in inner London area.

Justices' clerks for youth courts and family proceedings courts

34B Appointment of justices' clerks for youth courts and family proceedings courts.

Provisions relating to committee of magistrates

- 35 Committee of magistrates for inner London area.
- 36 Petty sessional divisions in inner London area.
- 36A Alteration of names of petty sessions areas in inner London area.
 - 37 Justices' clerks and other officers.
 - 38 Other functions for which committee is or may be responsible.

PART IV

CITY OF LONDON

- 39 Ex officio and appointed justices.
- 40 Chairman and deputy chairmen of justices.
- 41 Application of enactments to the City.
- 42 No petty sessional divisions in the City.
- 43 Records of appointed justices for the City.

PART V

PROTECTION OF JUSTICES AND INDEMNIFICATION OF JUSTICES AND JUSTICES' CLERKS

PART VI

ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

- 55 Duties of local authorities.
- 56 Provisions supplementary to s. 55.
- 57 Application of ss. 55 and 56 to outer London areas and City of London.
- 58 Corresponding arrangements in inner London area.
- 59 Grants by **Lord Chancellor** to responsible authorities.
- 59A Local authority land appropriated to magistrates' courts purposes.
 - 60 Special provision as to grants to Greater London Council.
 - 61 Application of fines and fees.
 - 62 Defaults of justices' clerks and their staffs.
- 62A Regulations as to accounts and audit.

PART VII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

- 63 Courses of instruction.
- 63A Disqualification in case of bankruptcy.
 - 64 Disqualification in certain cases of justices who are members of local authorities.

- 65 Justices not disqualified by reason of being ratepayers.
- Acts done by justices outside their commission area.
- 67 Promissory oaths of certain justices.
- 68 Greater Manchester, Merseyside and Lancashire.
- 69 Isles of Scilly.
- 69A Regulations.
 - 70 Interpretation.
 - 71 Transitional provisions and savings, amendments and repeals.
 - 72 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Transitional Provisions and Savings

Interpretation

1 In this Schedule— "the Act of 1949" means the Justices...

General transitional provisions

2 (1) In so far as anything done, or having effect...

Commissions of the peace

3 (1) Where a commission of the peace is in force...

Justices of the peace in office

- 4 (1) Any person who immediately before the commencement of this...
- 5 (1) The supplemental list for England and Wales kept under...
- 6 The repeal by this Act of paragraph 9(1) of Schedule...

Stipendiary magistrates (other than metropolitan stipendiary magistrates)

- 7 Any person who immediately before the commencement of this Act...
- 8 The following provisions of this paragraph shall have effect in...

Petty sessional divisions

9 Without prejudice to any power exercisable by virtue of this...

Justices' clerks and their staffs

- 10 (1) This paragraph applies to any person who immediately before...
- 11 (1) This paragraph applies to any person who on the...
- 12 (1) In this paragraph "transferred officer or employee to whom...
- 13 (1) Any regulations made by the Secretary of State under...
- 14 (1) This paragraph applies to any order made before the...

Justices of the Peace Act 1949, Schedule 2

15 Where in the preceding paragraphs of this Schedule reference is...

Provisions relating to Part V of Act

16 The provisions of Part V of this Act shall have...

Saving for superannuation provisions

17 Except as provided by sections 55 to 58 of this...

Savings for Local Government Act 1972, ss. 67, 252, 254

18 The provisions of this Act shall have effect without prejudice...

SCHEDULE 2 — Consequential Amendments

Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)

1 In section 3(4), in relation to any time after the...

Children and Young Persons Act 1933 (c. 12)

2 In section 107(1), in relation to any time after the...

National Assistance Act 1948 (c. 29)

3 In section 43(4), in relation to any time after the...

Children Act 1948 (c. 43)

4 In section 26, in subsections (1) and (4), in relation...

Marriage Act 1949 (c. 76)

5 In section 3(5), in relation to any time after the...

Maintenance Orders Act 1950 (c. 37)

6 In section 3(2), in relation to any time after the...

Magistrates' Courts Act 1952 (c. 55)

7—9

Affiliation Proceedings Act 1957 (c. 55)

10 In section 3(1), in relation to any time after the...

Licensing Act 1964 (c. 26)

11 In section 201(1), in the definition of "the metropolis" (as...

Administration of Justice Act 1964 (c. 42)

12 In section 38(1), in the definition of "London commission areas",...

Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

13	In the Schedule, in the proviso to paragraph 2, for
14	
15	
19	
27	

16

17

18

20

21

22

23

25 26

28

Guardianship of Minors Act 1971 (c. 3) In section 15, in subsections (1) and (4), in relation... Immigration Act 1971 (c. 77) In Schedule 2, in paragraphs 23(3) and 31(4), for "Justices... Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18) In section 27(2), in relation to any time after the... Criminal Justice Act 1972 (c. 71) In section 51, in subsection (4), for "section 5(1) of... Administration of Jusice Act 1973 (c. 15) In section 2(4), after "section" insert " or under section... For section 5 substitute the following:— In section 9(1)(f), for "this Act" substitute " section 13... In Schedule 1— (a) in paragraph 2(1), for "paragraph 1... Powers of Criminal Courts Act 1973 (c. 62) In section 32(6), for the words from "Justics of the...

Local Government Act 1974 (c. 7) In section 1(6)(a), for "section 27 of the Justices of...

Solicitors Act 1974 (c. 47)

29 In section 38— (a) in subsection (3), for "section 1...

Supplementary Benefits Act 1976 (c. 71)

30 In section 19(2), in relation to any time after the...

Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

31 In section 88(1), in the definition of "commission area", for...

SCHEDULE 3 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Justices of the Peace Act 1979 (repealed 19.6.1997).