



Justices of the Peace Act 1979

1979 CHAPTER 55

PART I

GENERAL

Stipendiary magistrates other than metropolitan stipendiary magistrates

16 Place of sitting and powers of stipendiary magistrates

- (1) Subject to subsection (5) below, nothing in the Magistrates' Courts Act 1952 requiring a magistrates' court to be composed of two or more justices, or to sit in a petty sessional court-house or an occasional court-house, or limiting the powers of a magistrates' court composed of a single justice, or when sitting elsewhere than in a petty sessional court-house, shall apply to any stipendiary magistrate sitting in a place appointed for the purpose.
- (2) A stipendiary magistrate appointed under section 13 of this Act in any commission area shall sit at such court houses in the area, on such days and at such times as may be determined by, or in accordance with, directions given by the Lord Chancellor from time to time.
- (3) Subject to subsection (5) below, a stipendiary magistrate so appointed, sitting at a place appointed for the purpose, shall have power to do any act, and to exercise alone any jurisdiction, which can be done or exercised by two justices under any law, other than any law made after the 2nd August 1858 which contains an express provision to the contrary; and all the provisions of any Act which are auxiliary to the jurisdiction exercisable by two justices of the peace shall apply also to the jurisdiction of such a stipendiary magistrate.
- (4) Subsection (3) above shall apply to cases where the act or jurisdiction in question is expressly required to be done or exercised by justices sitting or acting in petty sessions as it applies to other cases; and any enactment authorising or requiring persons to be summoned or to appear at petty sessions shall in the like cases authorise or require persons to be summoned or to appear before such a stipendiary magistrate at the place appointed for his sitting.

Status: This is the original version (as it was originally enacted).

- (5) Nothing in this section shall apply to the hearing or determination of domestic proceedings within the meaning of section 56 of the Magistrates' Courts Act 1952; and nothing in subsection (3) above shall apply to any act or jurisdiction relating to the grant or transfer of any licence.