



Judicature (Northern Ireland) Act 1978

1978 CHAPTER 23

PART X

MISCELLANEOUS MATTERS

103 Appointment of justices of the peace

- (1) Subject to the following provisions of this section there shall in Northern Ireland be a commission of the peace for each county court division and not, as heretofore, for each county and county borough.
- (2) The commission of the peace for a county court division shall be a commission under the Great Seal of Northern Ireland addressed generally, and not by name, to all such persons as may from time to time hold office as justices of the peace for the county court division.
- (3) Justices of the peace for a county court division shall be appointed on behalf and in the name of Her Majesty by instrument under the hand of the Lord Chancellor, and a justice so appointed may be removed from office in like manner.
- (4) A justice of the peace shall, within the county court division for which he is appointed, have all the jurisdiction and duties which were heretofore vested in or imposed on a justice of the peace acting for any area which included any part of that county court division.
- (5) Any act, matter or thing which by any statutory provision was heretofore required or authorised to be done before, or in the presence of, or to be served on, a justice of the peace acting for a county or county borough shall be required or authorised (as the case may be) to be done before, or in the presence of, or to be served on, a justice of the peace acting for any county court division in which that county or county borough or any part thereof is included.
- (6) In each county court division such one of the justices of the peace as may be designated by the Lord Chancellor shall be keeper of the rolls and shall exercise in relation to that county court division the functions heretofore exercised in relation to a county by the keeper of the rolls for that county.

Status: This is the original version (as it was originally enacted).

- (7) There shall be transmitted to the keeper of the rolls for each county court division, and be enrolled in the records of the justices for that division, a copy of any instrument appointing or removing a justice of the peace in that division in accordance with this section; and the keeper of the rolls shall be notified in such manner as the Lord Chancellor may direct of any resignation or death of a justice so appointed, and shall cause to be kept and from time to time rectified a record of those for the time being holding office by virtue of any such appointment.
- (8) A record of all persons for the time being holding office as justice of the peace by virtue of appointments made in accordance with this section, together with the instruments of appointment or removal shall be kept in the office of the Clerk of the Crown for Northern Ireland.
- (9) The Lord Chancellor may by order make such incidental, consequential, transitional or supplementary provisions (including the amendment or repeal of any statutory provision) as appear to the Lord Chancellor to be necessary or proper for giving full effect to the provisions of this section.
- (10) In this and the next following section " county court division" means a division specified under section 1(1) of the County Courts Act (Northern Ireland) 1959.