



# Justices of the Peace Act 1979

## 1979 CHAPTER 55

### PART III

#### INNER LONDON AREA

##### *Metropolitan stipendiary magistrates*

### **31 Appointment, removal and retirement of metropolitan stipendiary magistrates**

- (1) Metropolitan stipendiary magistrates shall be appointed by Her Majesty, and Her Majesty shall from time to time appoint such number of persons as is necessary; but the number of metropolitan stipendiary magistrates shall not at any time exceed sixty or such larger number as Her Majesty may from time to time by Order in Council specify.
- (2) A person shall not be qualified to be appointed a metropolitan stipendiary magistrate unless he is a barrister or solicitor of not less than seven years' standing.
- (3) The Lord Chancellor shall designate one of the metropolitan stipendiary magistrates to be the chief metropolitan stipendiary magistrate.
- (4) The following provisions shall apply to each metropolitan stipendiary magistrate, that is to say—
  - (a) he shall by virtue of his office be a justice of the peace for each of the London commission areas and for the counties of Essex, Hertfordshire, Kent and Surrey ;
  - (b) he shall not during his continuance in office practise as a barrister or solicitor;
  - (c) he may be removed from office by the Lord Chancellor for inability or misbehaviour.
- (5) A metropolitan stipendiary magistrate who is by virtue of his office a justice of the peace for any area mentioned in subsection (4) above shall not, by reason only of his being a justice of the peace for that area by virtue of that office, be qualified to be chosen under section 17(1) of this Act as chairman or deputy chairman of the justices

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*Status: This is the original version (as it was originally enacted).*

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for a petty sessional division of that area or to vote under that subsection at the election of any such chairman or deputy chairman.

- (6) Section 14 of this Act shall apply to metropolitan stipendiary magistrates as well as to other stipendiary magistrates in England or Wales.
- (7) Her Majesty shall not be recommended to make an Order in Council under subsection (1) above unless a draft of the Order has been laid before Parliament and approved by resolution of each House.