



Justices of the Peace Act 1997

1997 CHAPTER 25

PART VIII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

66 Disqualification in certain cases of justices who are members of local authorities

- (1) A justice of the peace who is a member of a local authority shall not act as a member of the Crown Court or of a magistrates' court in any proceedings brought by or against, or by way of appeal from a decision of, the authority or any committee or officer of the authority.
- (2) For the purposes of subsection (1) above—
 - (a) any reference to a committee of a local authority includes a joint committee, joint board, joint authority or other combined body of which that authority is a member or on which it is represented; and
 - (b) any reference to an officer of a local authority refers to a person employed or appointed by the authority, or by a committee of the authority, in the capacity in which he is employed or appointed to act.
- (3) A justice of the peace who is a member of the Common Council of the City of London shall not act as a member of the Crown Court or of a magistrates' court in any proceedings brought by or against, or by way of appeal from a decision of, the Corporation of the City or the Common Council or any committee or officer of the Corporation or Common Council.
- (4) Subsection (2) above applies for the purposes of subsection (3) above with the substitution, for references to a local authority, of references to the Corporation or the Common Council.
- (5) Nothing in this section prevents a justice from acting in any proceedings by reason only of their being brought by a police officer.
- (6) No act shall be invalidated by reason only of the disqualification under this section of the person acting.

Status: This is the original version (as it was originally enacted).

(7) In this section “local authority” means—

- (a) a local authority within the meaning of the Local Government Act 1972 or the Local Government (Scotland) Act 1973;
- (b) a police authority established under section 3 of the Police Act 1996;
- (c) a joint authority established by Part IV of the Local Government Act 1985;
- (d) a housing action trust established under Part III of the Housing Act 1988;
- (e) the Broads Authority; and
- (f) a National Park authority.