

1987 No. 1137 (L.5)

JUSTICES OF THE PEACE, ENGLAND AND WALES

The Justices of the Peace (Size and Chairmanship of Bench) (Amendment) Rules 1987

<i>Made</i> - - - -	<i>30th June 1987</i>
<i>Laid before Parliament</i>	<i>9th July 1987</i>
<i>Coming into force</i>	<i>1st August 1987</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 18 of the Justices of the Peace Act 1979(a), after consultation with the Rule Committee appointed under section 144 of the Magistrates' Courts Act 1980(b), hereby makes the following Rules:

1.—(1) These Rules may be cited as the Justices of the Peace (Size and Chairmanship of Bench) (Amendment) Rules 1987 and shall come into force on 1st August 1987.

(2) In these Rules, "the principal Rules" means the Justices of the Peace (Size and Chairmanship of Bench) Rules 1986(c).

2. For paragraph (2) of rule 6 of the principal Rules there shall be substituted the following paragraph—

"(2) A person who has held office as chairman shall not be eligible for re-election as chairman at an election meeting if on 1st January next after the election meeting he will have held such office for five consecutive years and less than three years will have elapsed from when he last held office unless—

- (a) at the time when the election meeting is held he holds office as chairman, and
- (b) the justices entitled to vote at the election meeting decide, in accordance with paragraph (3) below, that the restriction on eligibility imposed by this paragraph shall not apply in relation to the election to be held at that meeting."

30th June 1987

Havers, C.

(a) 1979 c.55.
(b) 1980 c.43.
(c) S.I. 1986/923.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules provide for a new rule 6(2) in the Justices of the Peace (Size and Chairmanship of Bench) Rules 1986. Rule 6 of the 1986 Rules introduced a restriction on eligibility for election as chairman of the justices where a person has held office for five consecutive years or more and less than three years have elapsed since he last held office unless the justices decide that he should be eligible for re-election.

Under these Rules that restriction on eligibility for re-election may be lifted by such a decision of the justices in the case of a sitting chairman but not otherwise.

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