



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 4

JP COURTS AND JPS

Appointment of JPs etc.

68 Conditions of office

- (1) A person is not to be appointed as a JP for a sheriffdom, except where eligible for reappointment under section 70(1)(a), unless the person ordinarily resides in the sheriffdom or within 15 miles of it.
- (2) Appointments of JPs are to be made subject to conditions which—
 - (a) by reference to the JP court business (and business to which signing functions relate) in the sheriffdom, relate to availability to exercise judicial (and signing) functions commensurate to that business,
 - (b) by reference to an order made under section 69, relate to training and appraisal.
- (3) For the purpose of subsection (2)(a)—
 - (a) the JP court (or signing) business,
 - (b) any need for availability to exercise judicial (or signing) functions in connection with that business,means the likely amount as assessed by the sheriff principal.
- (4) [^{F1}The Scottish Courts and Tribunals Service is, in accordance with a scheme devised by it and after consultation with the Scottish Ministers], to pay allowances to JPs.
- (5) A scheme under subsection (4) may, in particular—
 - (a) by reference to functions, specify rates or amounts of allowances,
 - (b) specify circumstances in which—
 - (i) allowances are not payable,
 - (ii) a rate or amount of allowances payable is reduced,

Changes to legislation: There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 68. (See end of Document for details)

- (c) provide for procedure for claiming and paying allowances.

Textual Amendments

- F1** Words in s. 68(4) substituted (1.4.2018) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential and Supplemental Provisions\) Order 2018 \(S.S.I. 2018/93\)](#), arts. 1, 3

Commencement Information

- II** S. 68 wholly in force at 22.2.2010; s. 68 not in force at Royal Assent, see s. 84; s. 68(1)-(3) in force at 10.12.2007 by [S.S.I. 2007/479](#), [art. 3](#), [Sch.](#); s. 68(4)(5) in force for certain purposes at 10.3.2008, 2.6.2008, 8.12.2008, 23.2.2009, 14.12.2009 and 22.2.2010 otherwise by [S.S.I. 2008/42](#), [art. 3](#), [Sch.](#); [S.S.I. 2008/192](#), [art. 3](#), [Sch.](#); [S.S.I. 2008/329](#), [art. 3](#), [Sch.](#); [S.S.I. 2008/362](#), [art. 3](#), [Sch.](#); [S.S.I. 2009/432](#), [art. 3\(1\)\(2\)](#), [Sch. 1](#), [Sch. 2](#)

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