



BERMUDA
1994 : 45

JUSTICES OF THE PEACE (VALIDATION) ACT 1994

[Date of Assent 28 December 1994]

[Operative Date 28 December 1994]

ARRANGEMENT OF CLAUSES

1 Citation

2 Validation, etc.

WHEREAS the power to appoint justices of the peace was conferred upon the Governor by section 1 of the Justices of the Peace Act 1969:

AND WHEREAS the 1971 revised edition of the Laws of Bermuda which came into force on 2 October 1972 incorporated into the Magistrates Act 1948 the said Justices of the Peace Act 1969:

AND WHEREAS certain persons, not having been appointed justices of the peace either under the Justices of the Peace Act 1969 or under the Magistrates Act 1948 purported to exercise powers and perform duties exercisable by justices of the peace:

AND WHEREAS it is expedient to validate the appointment of, and the exercise of those powers and the performance of those duties by, those persons:

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:—

JUSTICES OF THE PEACE (VALIDATION) ACT 1994

Citation

1 This Act may be cited as the Justices of the Peace (Validation) Act 1994.

Validation, etc.

2 (1) Where prior to the coming into operation of this Act, a person, not being a justice of the peace appointed under section 1 of the Justices of the Peace Act 1969 or under section 8 of the Magistrates Act 1948, purported to exercise any power, or perform any duty, pursuant to any provision of law for the time being applicable to the exercise of such power or the performance of such duty by a justice of the peace —

(a) that person shall, if the power was exercised or the duty performed—

(i) prior to 2 October 1972, be deemed to have been appointed a justice of the peace under section 1 of the Justices of the Peace Act 1969; and

(ii) on or after 2 October 1972, be deemed to have been appointed a justice of the peace under section 8 of the Magistrates Act 1948; and

(b) the purported exercise of such power, or performance of such duty, in accordance with such provision of law, shall be deemed to have been validly exercised or validly performed, as the case may be.

(2) Subsection (1) applies only in the case of a person who, pursuant to any provision of law requiring him so to do, or otherwise, had made the Judicial Oath.

(3) In this section "Judicial Oath" has the meaning assigned to it by section 1(1) of the Promissory Oaths Act 1969.