STATUTORY INSTRUMENTS

1969 No. 1070

CLERK OF THE CROWN IN CHANCERY

The Crown Office (Commissions of the Peace) Rules 1969

Made - - - -	31*st July* 1969
Laid before Parliament	6*th August* 1969
Coming into Operation	11*th August* 1969

At the Court at Arundel Park, the 31st day of July 1969

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 3 of the Crown Office Act 1877(a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. These Rules may be cited as the Crown Office (Commissions of the Peace) Rules 1969 and shall come into operation on 11th August 1969.

2. Subject to Rule 3 of these Rules, for the purposes of any commission of the peace issued for counties in England and Wales after the coming into operation of these Rules the form of such commission prescribed by Rule 1 in the Schedule to the Order in Council made on the 22nd day of February 1878(b) (hereinafter in these Rules referred to as "the principal Order") is amended—

(*a*) by substituting for the words from "Victoria" to "Our Attorney and Solicitor General now and for the time being And" the words "Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To";

(*b*) by deleting the words from "to inquire" where they first occur to "to be there done or attempted And";

(*c*) by substituting for the words from "And to hear and determine" to the words "it has been accustomed or ought to be done" the words "And to hear and determine all and all manner of crimes trespasses and all and singular other offences which the justices of Our peace may or ought to hear and determine and all and singular other the premises according to the laws and statutes of Our realm as in the like case it has been accustomed or ought to be done";

(*d*) by substituting for the words "you make inquiries and all and singular the premises hear and determine and perform and fulfil them" the words "you hear and determine and perform and fulfil all and singular the premises";

(a) 1877 c. 41. (b) Rev. III, p. 1009.

(*e*) by deleting the words "known and" following the words "the truth of the matter in the premises shall be the better"; and

(*f*) by deleting the words from "We also command the Keeper" to "as is aforesaid".

3. In respect of a commission of the peace issued for the City of London—

(*a*) the following paragraph shall have effect instead of paragraph (*a*) of Rule 2 of these Rules:—

(*a*) by substituting for the words from "Victoria" to "Our Attorney and Solicitor General now and for the time being And" the words "Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To the Lord Mayor and Aldermen of the City of London now and for the time being who are by virtue of the charter granted by his late Majesty King George the Second dated the twenty fifth day of August 1741 justices within the City And to"; and

(*b*) the following amendments shall be made to the form prescribed by Rule 1 in the Schedule to the principal Order in addition to the amendments made by paragraphs (*b*), (*c*), (*d*) and (*f*) of Rule 2 of these Rules:—

(i) for the words "And We command by the tenour of these presents Our sheriff of the said county of that at certain days and places which you or any such two or more of you (as is aforesaid) shall make known to him he cause to come before you or such two or more of you as is aforesaid so many and such good and lawful men of his bailiwick (as well within liberties as without) by whom the truth of the matter in the premises shall be the better known and determined" there shall be substituted the words "And We command by the tenour of these presents the sheriffs of the City that at certain days and places which you or any such two or more of you (as is aforesaid) shall make known to them or to either of them they or he cause to come before you or such two or more of you as is aforesaid so many and such good and lawful men of their bailiwick by whom the truth of the matter in the premises shall be the better determined";

(ii) the words "(as well within liberties as without)" shall be omitted wherever they occur; and

(iii) for any reference to the county there shall be substituted a reference to the City.

4. Rule 2 in the Schedule to the principal Order is hereby revoked.

5. For the purposes of any commission of the peace issued for boroughs in England and Wales after the coming into operation of these Rules the form of such commission prescribed by Rule 4 in the Schedule to the principal Order is amended—

(*a*) by substituting for the words from "Victoria" to "now and for the time being and" the words "Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of

Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To " ; and

(*b*) by deleting the word " said " following the words " in and throughout the ".

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the forms of Commissions of the Peace for counties and boroughs to take account of the abolition of ex-officio Justices of the Peace in England and Wales by the Justices of the Peace Act 1968 and to prescribe a form of commission for the City of London, having regard to the provisions of that Act. The opportunity has been taken to delete from the form of county commission the function of Justices in relation to Grand Juries, as these no longer exist, and that of the Keeper of the Rolls in respect of matters now obsolete.