# 1962 No. 1014

# MAGISTRATES' COURTS

## JUSTICES' CLERKS

## The Justices' Clerks (Accounts) Regulations 1962

| | |
|---|---|
| *Made* - - - - | 10*th May* 1962 |
| *Coming into Operation* | 1*st July* 1962 |

In pursuance of the power conferred upon me by section 27 (9) of the Justices of the Peace Act 1949(a) I hereby, with the concurrence of the Treasury, make the following Regulations :—

**1.** In the form of Return of Fines, Fees and any other Sums payable to the Secretary of State under section 27 (1) of the Justices of the Peace Act 1949, set out in the Schedule to the Justices' Clerks (Accounts) Regulations 1953(b), in the section numbered 4 of the explanatory matter set out at the beginning of the Return (being the section beginning with the words "The Return is in three Parts"), for the words from "In Part I particulars are required of the individual fines" to the words "changes are made in this list" there shall be substituted the following words, that is to say :—

"In Part I, the receipts should be sub-divided according to the Act under which the fines were imposed, and the total number of fines imposed under each Act should also be stated.

Part II is for fines payable to the Secretary of State which constitute Exchequer moneys within the meaning of section 27 but which by virtue of an appropriation in aid made by direction of the Treasury under paragraph (3) of section 2 of the Public Accounts and Charges Act 1891 are payable by the Secretary of State to the Minister of Transport. Fines so payable at present are the fines which under section 247 (1) of the Road Traffic Act 1960 are to be deemed to be Exchequer moneys, and also any fines imposed under the Road Traffic Act 1934, the Vehicles (Excise) Act 1949 and the Road Transport Lighting Act 1957. Fines levied under section 1 (8), section 5 (2), section 5 (3) and section 11 (4) of the Road Traffic and Roads Improvement Act 1960 should also be included in Part II. Justices' clerks will be informed if any changes are made in this list.

Sums paid by way of fixed penalty under section 1 of the Road Traffic and Roads Improvement Act 1960 are to be treated as if they were fines imposed on summary conviction for the offence to which they relate. The Part in which such sums should be included therefore depends on the Act creating the offence.".

(a) 12, 13 & 14 Geo. 6. c. 101. (b) S.I. 1953/493 (1953 I, p. 1006).

**2.** For Part I of the said form of Return as set out in the aforesaid Schedule to the said Regulations of 1953 (being the form of Return of Fines, other than fines to be returned under Part II of the said form of Return, which constitute Exchequer moneys within the meaning of section 27 of the Justices of the Peace Act 1949) there shall be substituted the Part set out in the Schedule to these Regulations.

**3.** These Regulations may be cited as the Justices' Clerks (Accounts) Regulations 1962 and shall come into operation on 1st July 1962.

*R. A. Butler,*
One of Her Majesty's Principal Secretaries of State.

10th May 1962.

We concur,

*John Peel,*
*Francis F. Pearson,*
Two of the Lords Commissioners of Her Majesty's Treasury.

10th May 1962.

Regulation 2

## SCHEDULE

### PART I

*Fines (other than fines required to be returned under Part II) which constitute Exchequer moneys within the meaning of section 27 of the Justices of the Peace Act* 1949

(*a*) TOTAL AMOUNTS RECEIVED DURING THE QUARTER

NOTE: In column 3, enter the total amounts of the fines imposed under each Act after deduction of any court or police fees payable thereout; the amounts entered should not include any sums ordered to be paid as costs, damages or compensation. In column 4, enter only the amounts received which are applicable in whole or part payment of the amount shown in column 3.

| (1) Acts under which fines imposed | (2) Number of fines imposed under each Act | (3) Amount of fines imposed under each Act | (4) Amounts received during quarter |
|---|---|---|---|
| (i) Fines to which this Part applies imposed during the quarter (whether paid or outstanding): | | £ s. d. | £ s. d. |
| | | | Total (i) £ |

(ii) Arrears received during quarter:

| Acts under which fines imposed | Amounts received £ s. d. |
|---|---|
| | |
| Total (ii) | £ |

TOTAL AMOUNT RECEIVED DURING QUARTER (that is, total of totals (i) and (ii)) ... ... ... ... ... ... ... £

(*b*) ARREARS OUTSTANDING AT END OF QUARTER £ s. d.

(i) In respect of fines to which this Part applies imposed during the quarter ... ... ... ... ...

(ii) In respect of such fines imposed in any previous quarter

TOTAL ... ... £

## EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations amend the Justices' Clerks (Accounts) Regulations 1953 by altering the form therein prescribed of the return of fines, fees and other sums payable to the Secretary of State under section 27 (1) of the Justices of the Peace Act 1949, which is required to be made by justices' clerks. On the form as altered clerks will no longer be required to return particulars of individual fines imposed, as, in the case of certain fines, they now are on the existing form. Instead, they will be required to return only particulars regarding the total number of any such fines imposed under each Act of Parliament. Regulation 2 prescribes a new form of return accordingly, and Regulation 1 makes consequential amendment of the explanatory matter at the beginning of the prescribed form, and also makes certain amendments therein to take account of legislation passed since the date of the Regulations of 1953.