that it is desirable, on account of the matters specified in the said subsection (5), to save the said grant:

And Whereas by the Justices of the Peace Act, 1949 (Saving of Borough Quarter Sessions) Order, 1950(a), provision has been made for saving the grant of the commission of the peace and court of quarter sessions in respect of each of the boroughs specified in the Schedule to that Order:

And Whereas the borough of Barnstaple has applied for an order within the time allowed by the said subsection (5) and the Lord Chancellor is satisfied that it is desirable, on account of the matters specified in that subsection, to save the grant of the commission of the peace and quarter sessions in respect of the said borough:

Now, therefore, I, William Allen, Viscount Jowitt, Lord High Chancellor of Great Britain, in exercise of the power conferred upon me by subsection (5) of the said section ten, and of all other powers enabling me in this behalf, do hereby make the following Order:—

1. The grant of the commission of the peace and quarter sessions in respect of the borough of Barnstaple shall be saved for the purposes of subsection (1) of section ten of the Justices of the Peace Act, 1949.

2. This Order may be cited as the Justices of the Peace Act, 1949 (Saving of Borough Quarter Sessions) (No. 2) Order, 1951.

Dated the 5th day of June, 1951.

Jowitt, C.

The Justices of the Peace (Size and Chairmanship of Bench) (Amendment) Rules, 1951

1951 No. 1982

Made - - - -	19*th November*, 1951
Laid before Parliament	19*th November*, 1951
Coming into Operation	1*st January*, 1952

I, Gavin Turnbull, Baron Simonds, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by Section 13 of the Justices of the Peace Act, 1949(b), and all other powers enabling me in this behalf, hereby make the following Rules:—

1. These Rules may be cited as the Justices of the Peace (Size and Chairmanship of Bench) (Amendment) Rules, 1951, and shall come into operation on the first day of January, 1952.

(a) S.I. 1950 (No. 1666) I, p. 1148. (b) 12, 13 & 14 Geo. 6. c. 101.

2. The following Rule shall be substituted for Rule 3 of the Justices of the Peace (Size and Chairmanship of Bench) Rules, 1950(a) :—

" 3.—(1) The justices for each petty sessions area shall, once in every year, in the manner hereinafter provided, elect from among their number a chairman and one or more deputy chairmen.

(2) The election of the chairman and deputy chairmen shall be made by the justices at a meeting to be held in the month of October of which at least seven days' notice shall be given to each justice for the petty sessions area.

(3) Prior to the election of deputy chairmen, the justices present shall determine how many deputy chairmen are to be elected, and such deputy chairmen shall be elected after the result of the ballot for the election of the chairman has been announced.

(4) Any justice for the petty sessions area shall be eligible for election as chairman or deputy chairman for the petty sessions area, and no justice shall be nominated for election before the election takes place.

(5) Subject to the provisions of this Rule, no justice shall be declared to be elected chairman unless he obtains a majority of the votes of the justices present and voting, and if no justice obtains such a majority at a ballot subsequent ballots shall be held until such a majority is obtained:

Provided that if after three ballots have been held no justice has obtained such a majority the justice who has obtained more votes than any other justice shall be declared to be elected.

(6) Subject to the provisions of this Rule, the result of a ballot for the election of a deputy chairman or deputy chairmen shall be ascertained by counting the votes given to each justice and the justice or justices, as the case may be, who have obtained the greatest number of votes shall be declared to be elected.

(7) Where an equality of votes is found to exist between any candidates and the addition of a vote would entitle one of them to be elected, the Clerk to the Justices shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

(8) The Clerk to the Justices shall prepare ballot papers containing the names of all the justices in the petty sessions area and shall hand to each justice present at the meeting one list for the election of the chairman and one list for the election of the deputy chairman or deputy chairmen, and each justice shall place a mark on one list against the name of the justice he wishes to be chairman and on the other list against the name or names of the justice or justices he wishes to be deputy chairman or deputy chairmen as the case may be.

(9) Immediately after each ballot has been closed the Clerk to the Justices shall collect the ballot papers and shall count the votes and shall announce the result.

(10) A ballot paper shall be deemed to be void if—

(*a*) it is unmarked ; or

(*b*) it bears any mark or writing from which the voter can be identified ; or

(a) S.I. 1950 (No. 1908) I, p. 1151.

(*c*) it is marked in such a manner that there is doubt as to the identity of the justice for whom the vote is recorded ;

and such a ballot paper shall be rejected by the Clerk to the Justices when the votes are counted.

(11) There shall be no disclosure of how individual justices have voted.

(12) A chairman and a deputy chairman elected under these Rules shall hold office for one year from the 1st January next after the date of his election and he shall be eligible for re-election.

(13) If the office of chairman or deputy chairman becomes vacant by reason of death, resignation, or other cause, the justices shall, as soon as practicable, proceed to elect, in manner hereinbefore provided, another chairman, or deputy chairman, as the case may be, who shall hold office for the remainder of the term of the appointment of the justice whom he replaces.

(14) In the foregoing provisions of this Rule :

The expression ' Clerk to the Justices ' includes any person acting as such.

The expression ' justice ' means a justice of the peace whose name has not been entered in the Supplemental List, and in relation to a part of the county (other than a borough having a separate commission of the peace) means a justice of the peace for the county who ordinarily acts in and for that part.

(15) Nothing in this Rule shall prevent the appointment by the justices present (in any manner which has been customary) of one of their number to preside, in the absence of a chairman or deputy chairman elected under these Rules, at a court sitting to deal with any case."

Dated this 19th day of November, 1951.

Simonds, C.

EXPLANATORY NOTE

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

These Rules amend the Justices of the Peace (Size and Chairmanship of Bench) Rules, 1950. They provide that, as from the 1st January, 1952, deputy chairmen of benches shall be elected by a simple majority instead of by an absolute majority. The Rules also make minor amendments to the procedure which is to be followed by justices when electing their chairman and deputy chairmen, and require the elections to be held in the month of October.