Session and Chapter.	Short Title.	Extent of Repeal.
2 & 3 Geo. V. c. 23.	The Clerks of Session (Scotland) Regulation Act, 1913.	The whole Act.
6 & 7 Geo. V. c. 49.	The Court of Session (Extracts) Act, 1916.	Section one.
23 & 24 Geo. V. c. 21.	The Solicitors (Scotland) Act, 1933.	Section forty-one, from the beginning to the words "lawful and."

CHAPTER 42.

An Act to make provision for the service by post of summonses issued by justices of the peace in England, to amend the law with respect to the mode of proving the service of process and other documents in proceedings before, and on appeal from, such justices, and for purposes connected with the matters aforesaid.

[28th July 1933.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Service of summonses by post.

1.—(1) Subject to the provisions of this Act, service of a summons issued by a justice of the peace in England may be effected by sending it by post to the defendant in a prepaid registered letter addressed to him at his last or usual place of abode, and where a summons is so served it shall, for the purpose of any enactment requiring a summons to be served in any particular manner, be deemed to have been as effectively served as if it had been served in that manner, and the service shall be deemed to have been effected at the time at

which the letter containing the summons would be delivered in the ordinary course of post:

Provided that, notwithstanding that a summons has been sent by post in manner authorised by this subsection, service shall be deemed not to have been effected unless either—

(*a*) the defendant appears, either in person or by counsel or solicitor, in manner required by the summons; or

(*b*) it is proved to the satisfaction of the justices that the summons came to the knowledge of the defendant.

For the purposes of the foregoing paragraph (*b*), the production of a letter or other communication which purports to be written by or on behalf of the defendant, and is in such terms as reasonably to justify the inference that the summons came to the knowledge of the defendant, shall be prima facie evidence that the summons came to his knowledge.

(2) Where by reason of the proviso to subsection (1) of this section service of a summons is deemed not to have been effected, a justice of the peace for the same county or place may issue another summons on the original complaint or information and any enactment which requires, whether expressly or by implication, that a summons in respect of the offence alleged in the complaint or information shall be issued or served within a specified period after the date of the commission of the offence shall have effect as if the specified period were a period running from the return day of the original summons instead of from the date aforesaid:

Provided that this subsection shall not apply unless the letter containing the original summons was posted at such a time as to enable it to be delivered in the ordinary course of post within the specified period.

(3) This section shall not apply to—

(*a*) a summons requiring the attendance of a person for the purpose of giving evidence or producing any document; or

(*b*) a summons issued under any enactment relating to the liability of members of the naval, military or air forces of the Crown for the maintenance of their wives and children (whether legitimate or illegitimate); or

(*c*) service of a summons outside England.

(4) Nothing in this section shall affect—

(*a*) any jurisdiction of a justice of the peace to issue a warrant for the apprehension of any person; or

(*b*) the validity of the service of a summons in any case where the service thereof has been effected in any manner in which the summons might lawfully have been served if this Act had not passed.

Proof of service of documents in proceedings before, and on appeals from, justices.

2.—(1) Subject to the provisions of this section, in all proceedings before justices of the peace in England the service of any process or other document required or authorised to be served and, where service of a document may lawfully be effected by post, the proper addressing, prepaying and posting of a letter containing the document and the place, date and time of posting, and the registration of the letter, if it was registered, may, without prejudice to any other mode of proof, be proved by a certificate in the prescribed form signed by the person by whom the service was effected, or, as the case may be, by whom the letter was posted, and in any such proceeding as aforesaid any document purporting to be such a certificate and to be so signed shall be prima facie evidence of the facts stated therein and shall be received in evidence without proof of the signature of the person signing it.

(2) The provisions of the preceding subsection shall apply in relation to appeals to quarter sessions from justices of the peace, but, save as aforesaid, shall not apply in relation to proceedings at quarter sessions.

(3) If any person signs such a certificate as aforesaid knowing it to contain any statement which is false in a material particular, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding six months, or to both such imprisonment and fine.

Short title, interpretation and commencement.

3.—(1) This Act may be cited as the Service of Process (Justices) Act, 1933.

(2) In this Act, unless the context otherwise requires—

the expression "defendant" in relation to any summons means the person to whom the summons is directed;

the expression "return day" in relation to any summons means the day on which the defendant is required by the summons to appear;

the expression "prescribed" means prescribed by rules made under section twenty-nine of the Summary Jurisdiction Act, 1879.

42 & 43 Vict. c. 49.

(3) This Act shall come into operation on the first day of January nineteen hundred and thirty-four.

CHAPTER 43.

An Act to make provision for certain deductions from remuneration to be disregarded in the computation of contributions, pensions and gratuities under enactments relating to the superannuation of persons employed, or paid, by local authorities and other public bodies; to give retrospective effect to such provision; and for purposes connected with the matters aforesaid. [28th July 1933.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Certain reductions in remuneration to be disregarded for purposes of superannuation.

1.—(1) Subject to the provisions of this Act, when, in computing for purposes relating to superannuation under any enactment to which this section applies, the amount of—

(i) any contribution to be made by any person;

(ii) any contribution to be paid or credited to any fund in respect of any person;