The Justices of the Peace Act, 1988

being

Chapter J-5.1 of the *Statutes of Saskatchewan, 1988-89* (effective May 1, 1989) as amended by the *Statutes of Saskatchewan*, 1997, c.10; 2010, c.14; 2012, c.C-43.101; 2013, c.P-38.01 and c.12.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER J-5.1

An Act respecting Justices of the Peace

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Justices of the Peace Act, 1988*.

Interpretation

2 In this Act:

"chief judge" means the chief judge of the Provincial Court of Saskatchewan; («*juge en chef*»)

"council" means the Justices of the Peace Review Council established pursuant to subsection 12(1); («*Conseil*»)

"court official" means a person who is appointed to hold office as a court official in accordance with *The Court Officials Act, 2012*; (« *fonctionnaire de justice* »)

"justice of the peace" means a person who is appointed as a justice of the peace, or who is continued in office pursuant to this Act, and who continues to hold office; («*juge de paix*»)

"minister" means the member of the Executive Council to whom for the time being the administration of this Act is assigned; *(«ministre»)*

"misconduct", respecting a justice of the peace, means misconduct, neglect of duty or inability to perform as a justice of the peace; *(«inconduite»)*

"supervising justice of the peace" means the supervising justice of the peace appointed pursuant to section 3. («*juge de paix principal*»)

1988-89, c.J-5.1, s.2; 1997, c.10, s.3; 2010, c.14, s.3; 2012, c.C-43.101, s.30.

APPOINTMENT

Supervising justice of the peace

3(1) The Lieutenant Governor in Council may appoint a justice of the peace as the supervising justice of the peace.

(1.1) A supervising justice of the peace appointed after the day this subsection comes into force holds office for a term of five years.

(2) Where the Lieutenant Governor in Council appoints a supervising justice of the peace, the Lieutenant Governor in Council shall make regulations prescribing the remuneration and benefits to which the supervising justice of the peace is entitled.

1988-89, c.J-5.1, s.3; 1997, c.10, s.4; 2010, c.14, s.4.

Appointment

4 Subject to sections 5 and 6, the Lieutenant Governor in Council may appoint a resident of Saskatchewan as a justice of the peace who shall have jurisdiction as a justice of the peace throughout Saskatchewan.

1988-89, c.J-5.1, s.4.

Conflict of interest

5 Unless otherwise provided by law, a justice of the peace shall not, during his or her term of office:

(a) practise criminal law;

(b) act as legal counsel for or against the Government of Saskatchewan or the Government of Canada; or

(c) be in a position of a conflict with his or her duties as a justice of the peace.

2010, c.14, s.5.

Categories

6(1) Subject to subsection (3), the following persons are not eligible to be appointed as a justice of the peace:

(a) an employee of the Government of Saskatchewan or a Crown corporation;

(b) an employee or member of:

(i) a police service within the meaning of *The Police Act, 1990*; or

(ii) the Royal Canadian Mounted Police;

(c) a member of the Corps of Commissionaires;

(d) a member of a board as defined in *The Police Act, 1990*; or

(e) an elected member of a council of a municipality.

(2) If a person who is a justice of the peace attains a position described in subsection (1), the Lieutenant Governor in Council may cancel the appointment of the justice of the peace.

(3) A court official may be appointed as a justice of the peace.

(4) A justice of the peace, other than a justice of the peace who is a court official, shall perform those duties and exercise those powers that are prescribed for a justice of the peace in the regulations, in any other Act, in any regulations made pursuant to that other Act, in an Act of the Parliament of Canada, in any regulations made pursuant to an Act of the Parliament of Canada or at law.

(5) A justice of the peace who is a court official shall only perform those duties and exercise those powers that are prescribed in the regulations for a justice of the peace who is a court official.

2010, c.14, s.5; 2012, c.C-43.101, s.30.

7 Repealed. 2010, c.14, s.5.

Term of office

8(1) Unless earlier removed in accordance with this Act, a justice of the peace holds office until the earliest of:

(a) the date he or she reaches the age of retirement prescribed in subsection (2);

(b) the date he or she resigns in accordance with subsection (3); and

(c) the date his or her appointment is cancelled pursuant to subsection 6(2), 11(2) or 12.8(4).

(2) Every justice of the peace shall retire at the end of the month in which he or she attains the age of 70 years.

(3) A justice of the peace may resign his or her office by sending a written notice of his or her resignation to the minister, and his or her resignation is effective on the later of:

(a) the date the written notice is received by the minister; and

(b) the date specified in the written notice.

2010, c.14, s.6.

Oath of office and allegiance

9 Before acting as a justice of the peace, the justice of the peace shall take and subscribe before a person authorized to administer oaths in Saskatchewan the oath of office and of allegiance in the following form:

"I _____, of _____ , in the Province of Saskatchewan, do swear that I will well and truly serve our Sovereign Lady the Queen in the office of a justice of the peace, and that I will duly and faithfully and according to the best of my ability and knowledge execute the several duties and powers of a justice of the peace".

1988-89, c.J-5.1, s.9.

Record of oath

10 Immediately after taking the oath of office and of allegiance mentioned in section 9, the justice of the peace shall transmit it to the Inspector of Court Offices appointed pursuant to *The Court Officials Act, 2012*, who shall file it in his or her office.

2012, c.C-43.101, s.30.

DETERMINATION OF SALARY AND BENEFITS

Interpretation

10.1 In sections 10.2 to 10.8:

"association" means the Saskatchewan Justice of the Peace Association; (« *association* »)

"commission" means the chairperson of a commission established pursuant to section 36 of *The Provincial Court Act, 1998*; (« *commission* »)

"justice of the peace" does not include a justice of the peace who is a court official; (« *juge de paix* »)

"senior justice of the peace" means a justice of the peace who is designated a senior justice of the peace in his or her order of appointment. (« *juge de paix supérieur* »)

2013, c.12, s.3.

Salary and pension benefits

10.2(1) Subject to subsections (4) and (5), the annual salary of a justice of the peace is the percentage of the annual salary of a judge of the Provincial Court of Saskatchewan that is prescribed in the regulations made by the commission.

(2) The annual salary of a justice of the peace is to be adjusted on April 1 of each year.

(3) The annual salary of a judge of the Provincial Court of Saskatchewan that is to be used to calculate and adjust the annual salary of a justice of the peace mentioned in subsection (1) is the annual salary of a judge of the Provincial Court as of April 1 of the year that precedes the year in which the calculation is being made.

(4) A senior justice of the peace is to be paid a *pro rata* portion of the annual salary of a justice of the peace mentioned in subsection (1) for each day or half-day in which the senior justice of the peace is engaged in his or her duties as a justice of the peace.

(5) A justice of the peace other than a senior justice of the peace is to be paid a *pro rata* portion of the annual salary of a justice of the peace mentioned in subsection (1) for each hour in which the justice of the peace is engaged in his or her duties as a justice of the peace.

(6) Subject to subsection 10.8(4), the Public Employees Pension Plan established pursuant to *The Public Employees Pension Plan Act* applies to a senior justice of the peace.

2013, c.12, s.3.

Commission to inquire and make recommendations

10.3(1) A commission:

(a) shall inquire into and make recommendations with respect to:

(i) the annual salary of a justice of the peace mentioned in subsection 10.2(1);

(ii) the method of calculating the *pro rata* portions of the annual salary mentioned in subsections 10.2(4) and (5); and

(iii) the contributions to be made to the pension plan mentioned in subsection 10.2(6); and

(b) may inquire into and make recommendations with respect to benefits to be provided to justices of the peace pursuant to regulations made pursuant to clause 15(d).

(2) A commission's recommendation with respect to the percentage mentioned in subsection 10.2(1) cannot result in an annual salary amount for justices of the peace that is less than the annual salary being received by justices of the peace on the day on which the report containing the recommendation is submitted to the minister.

2013, c.12, s.3.

Commission reports

10.4(1) Within six months after the day on which this section comes into force, the commission shall prepare and submit to the minister and the association a report containing:

(a) its recommendations with respect to the matters mentioned in clause 10.3(1)(a) for the period commencing on April 1, 2013; and

(b) proposed regulations to implement those recommendations.

(2) On or before December 31, 2018, a commission shall prepare and submit a report to the minister and the association containing:

(a) its recommendations with respect to the matters mentioned in clause 10.3(1)(a) for the period commencing on April 1, 2019; and

(b) proposed regulations to implement those recommendations.

(3) On or before December 31 of every sixth year after 2018, a commission shall prepare and submit a report to the minister and the association containing:

(a) its recommendations with respect to the matters mentioned in clause 10.3(1)(a) for the period commencing on April 1 of the year following the year in which the report is submitted; and

(b) proposed regulations to implement those recommendations.

(4) A report prepared and submitted pursuant to this section may be accompanied by a report containing any recommendations of the commission with respect to the matters mentioned in clause 10.3(1)(b).

(5) Notwithstanding subsections 36(5) and (7) of *The Provincial Court Act, 1998*, if, six months before the date on which a commission is required to submit a report pursuant to subsection (1), (2) or (3), there is a vacancy on the commission or the commission is unable to perform its duties, the minister shall appoint a replacement commission after obtaining the consent of the association.

2013, c.12, s.3.

Procedures of commissions

10.5 Before submitting a report pursuant to section 10.4, a commission:

(a) shall consider any written submissions from the association and the minister;

(b) may submit written questions to the association and the minister after the commission has reviewed the written submissions; and

(c) may, if the commission considers it necessary to complete its report pursuant to section 10.4, convene a hearing at which the association and the minister may make oral submissions respecting the matters mentioned in subsection 10.3(1).

2013, c.12, s.3.

No standing to make submissions

10.6 Notwithstanding section 37 of *The Provincial Court Act, 1998*, the minister, the association and any justice of the peace shall not be granted standing to make submissions to a Provincial Court Commission established pursuant to Part IV of *The Provincial Court Act, 1998* with respect to the matters mentioned in subsection 10.3(1) for justices of the peace.

2013, c.12, s.3.

Implementation of recommendations

10.7(1) Sections 42, 43, 44, 46, 47, 49 and 50 and subsections 45(2) and 48(2) of *The Provincial Court Act, 1998* apply, with any necessary modification, to recommendations made by a commission.

(2) If the minister gives notice to the association in accordance with clause 43(b) of *The Provincial Court Act, 1998*, the minister shall:

(a) lay before the Legislative Assembly the report of the commission; and

(b) move a resolution that the Legislative Assembly:

(i) reject one or more of the recommendations in the report; and

(ii) fix an amount or amounts with respect to any of the matters mentioned in clause 10.3(1)(a) in a manner that meets constitutional tests of independence that are to be substituted for the amounts recommended in the report.

(3) A reference to clause 45(1)(b) of *The Provincial Court Act, 1998* in the provisions mentioned in subsection (1) is to be interpreted as a reference to subsection (2).

(4) For the purpose of applying subsection 48(2) of *The Provincial Court Act, 1998*, **"benefit period"** means the period commencing on the date mentioned in clause 10.4(1)(a), 10.4(2)(a) or 10.4(3)(a), whichever is the case.

2013, c.12, s.3.

Transitional

10.8(1) In this section, **"transition period"** means the period commencing on April 1, 2013, and ending on the day on which the first regulation enacted pursuant to section 10.7 comes into force.

(2) During the transition period, a justice of the peace shall continue to be paid the fees and allowances set out in *The Justices of the Peace Regulations, 1989* in force on March 31, 2013.

(3) On the expiration of the transition period, each justice of the peace shall be paid an amount that is equal to the difference between:

(a) the annual salary he or she would have earned during the transition period if the first regulation enacted pursuant to section 10.7 had come into force at the beginning of the transition period; and

(b) the fees and allowances paid to that justice of the peace pursuant to subsection (2).

(4) A senior justice of the peace who is a senior justice of the peace on the day on which the first regulation enacted pursuant to section 10.7 comes into force becomes a member of the Public Employees Pension Plan on the day on which that regulation comes into force.

2013, c.12, s.3.

REMOVAL FROM OFFICE

Failure to file returns

11(1) If a justice of the peace fails to prepare and file the reports required pursuant to this Act and the regulations for a period of one year, the minister may recommend to the Lieutenant Governor in Council that the appointment of the justice of the peace be cancelled.

(2) On receipt of the recommendation pursuant to subsection (1) and if the Lieutenant Governor in Council considers it appropriate to do so, the Lieutenant Governor in Council may cancel the appointment of the justice of the peace.

1988-89, c.J-5.1, s.11.

Justices of the Peace Review Council

12(1) The Justices of the Peace Review Council is established.

(2) Subject to section 12.1, the council is to consist of:

(a) the chief judge, who shall be chairperson;

(b) a judge of the Provincial Court of Saskatchewan appointed by the chief judge; and

(c) a person appointed by the Lieutenant Governor in Council.

(3) The functions of the council are:

(a) to review the performance of duties by justices of the peace generally;

(b) to determine whether formal complaints of misconduct against justices of the peace are well founded and, if so, to assess appropriate penalties;

(c) to consider and make recommendations to the minister respecting matters of general concern to justices of the peace; and

(d) to review and report on any matter referred to it by the minister.

(3.1) A majority of the members of the council constitutes a quorum and is sufficient for the exercise of the jurisdiction and powers of the council.

(3.2) Where the council is deciding any matter, all members of the council, including the chairperson, are entitled to vote and, in the case of an equality of votes, the chairperson has the casting vote.

(4) The council may make bylaws respecting its procedures and the procedures of a committee appointed pursuant to section 12.21.

(5) to (11) **Repealed.** 1997, c.10, s.7.

1988-89, c.J-5.1, s.12; 1997, c.10, s.7.

COMPLAINTS

Constitution and powers of council

12.1 For the purposes of sections 12.11 to 12.9:

(a) the chief judge shall:

(i) appoint an additional judge of the Provincial Court of Saskatchewan to sit as a member of the council, in substitution for the chief judge; and

(ii) designate one of the appointed judges as chairperson of the council; and

(b) the council, as modified by clause (a), has all the powers of the council for the purposes of carrying out its duties.

1997, c.10, s.8.

Preliminary review

12.11(1) The chief judge shall review the conduct of a justice of the peace where the chief judge:

(a) receives a complaint respecting the justice of the peace alleging misconduct; or

(b) otherwise becomes aware of misconduct by a justice of the peace.

(2) On completion of the review, the chief judge shall:

(a) if the chief judge is of the opinion that the matter does not constitute misconduct, take no further action; or

(b) in any other case, appoint an investigation committee pursuant to subsection 12.21(1) to investigate the matter or any aspect of the matter.

(3) The chief judge shall notify the complainant, if any, and the justice of the peace whose conduct is the subject of the review of the decision made on the review.

1997, c.10, s.8.

Interim suspension

12.2 Where the chief judge determines that an investigation committee should be appointed pursuant to subsection 12.21(1), the chief judge may suspend the justice of the peace whose conduct is the subject of the investigation from the performance of his or her duties until the earliest of the following occurs:

(a) the investigation is completed and the chief judge determines that no hearing will be held pursuant to section 12.4;

(b) a hearing is held and:

(i) the council determines that a formal complaint is not well founded; or

(ii) an order is made pursuant to subsection 12.8(1);

(c) the chief judge directs that the suspension be terminated.

1997, c.10, s.8.

Appointment of investigation committee

12.21(1) The chief judge may:

(a) appoint an investigation committee consisting of any number of persons that the chief judge considers advisable; and

(b) designate one of those persons to be chairperson of the committee.

(2) An investigation committee:

(a) shall investigate the matter referred to it pursuant to clause 12.11(2)(b); and

(b) may investigate any other matter that comes to the attention of the committee during the course of an investigation that appears to constitute misconduct.

1997, c.10, s.8.

Decision of investigation committee

12.3(1) On the completion of its investigation, an investigation committee shall make a written report to the chief judge recommending that:

(a) the council hear and determine the formal complaint set out in the committee's written report; or

(b) no further action be taken with respect to the matter under investigation.

(2) The chief judge shall provide a copy of a written report made pursuant to clause (1)(b) to the complainant, if any, and to the justice of the peace whose conduct is the subject of the investigation.

1997, c.10, s.8.

Hearing

12.4(1) Where the report of an investigation committee:

(a) makes a recommendation pursuant to clause 12.3(1)(a), the council shall hear and determine the formal complaint;

(b) makes a recommendation pursuant to clause 12.3(1)(b), the chief judge may direct the council to hear and determine a formal complaint that the chief judge sets out.

(2) Where an investigation committee recommends that the council hear and determine a formal complaint, or where the chief judge determines that the council shall hear and determine a formal complaint, the chief judge shall, at least 14 days before the date the council is to sit:

(a) cause a copy of the formal complaint to be sent to the justice of the peace whose conduct is the subject of the hearing; and

(b) cause notice to be served on the justice of the peace whose conduct is the subject of the hearing of the date, time and place of the hearing.

(3) The complainant, if any, is to be advised orally or in writing of the date, time and place for the hearing before the council and, subject to subsection (8), is entitled to attend the hearing.

(4) Where a hearing is held pursuant to this section, the justice of the peace whose conduct is the subject of the hearing is entitled to:

(a) be represented by counsel at his or her own expense;

(b) examine, cross-examine and re-examine all witnesses called; and

(c) present evidence in defence and reply.

(5) For the purposes of a hearing pursuant to this section, the council has all the powers conferred on a commission by sections 11, 15 and 25 of *The Public Inquiries Act, 2013.*

(6) On application to the council by a justice of the peace whose conduct is the subject of a hearing, any member of the council may issue a writ of *subpoena ad testificandum* or *subpoena duces tecum*.

(7) Subject to subsection (8), a hearing pursuant to this section is to be held in public.

(8) The council may exclude the complainant or the public from any part of the hearing when the council is of the opinion that the possible disclosure of intimate financial or personal matters outweighs the desirability of allowing the complainant or the public to be present during part of the hearing.

1997, c.10, s.8; 2013, c.P-38.01, s.35.

Council to hear and determine complaint

12.5(1) The council shall hear the formal complaint and shall determine whether or not the conduct of the justice of the peace constitutes misconduct notwithstanding that the determination of a question of fact may be involved, and the council need not refer any question to a court for adjudication.

(2) The council may accept any evidence that it considers appropriate and is not bound by rules of law concerning evidence.

1997, c.10, s.8.

Procedure generally

12.6(1) The chief judge shall direct, or instruct the investigation committee to direct, the prosecution of the formal complaint before the council.

(2) In any proceeding before the council, the testimony of witnesses is to be under oath or affirmation.

(3) Where the justice of the peace whose conduct is the subject of a hearing fails to attend the hearing, the council, on proof that the justice of the peace was served with notice of the hearing, may proceed with the hearing in the absence of the justice of the peace.

(4) A justice of the peace who appears in person or by counsel before the council is deemed to have received proper notice unless the appearance is for the purpose of challenging the notice.

(5) A justice of the peace whose conduct is the subject of a hearing is competent and compellable to give evidence at the hearing.

1997, c.10, s.8.

Powers during hearing

12.7(1) If, during the course of a hearing, the evidence shows that the conduct of the justice of the peace whose conduct is the subject of the hearing may warrant a charge different from or in addition to a charge specified in the formal complaint, the council shall notify the justice of the peace of that fact.

(2) If the council proposes to amend, add to or substitute the charge in the formal complaint, the council shall adjourn the hearing for any period that the council considers sufficient to give the justice of the peace an opportunity to prepare a defence to the amended formal complaint, unless the justice of the peace consents to continue the hearing.

1997, c.10, s.8.

Powers of the council to assess penalties

12.8(1) Where the council determines that the conduct of a justice of the peace constitutes misconduct, the council may make any order that the council considers appropriate, including:

(a) recommending to the Lieutenant Governor in Council that the appointment of the justice of the peace be cancelled;

(b) suspending the justice of the peace for a specified period or until specified requirements are met, including a requirement that the justice of the peace obtain medical treatment or counselling;

(c) specifying conditions under which the justice of the peace may continue in office, including conditions that the justice of the peace:

(i) not do specified types of work;

(ii) obtain medical treatment or counselling;

(d) reinstating the justice of the peace following a suspension by the chief judge pursuant to section 12.2;

(e) recommending to the Lieutenant Governor in Council, in the case of a justice of the peace who has been assigned to a category of justice of the peace established in the regulations, that the category to which the justice of the peace is assigned be changed;

(f) reprimanding the justice of the peace.

(2) The chairperson of the council:

(a) shall send notice of an order made pursuant to subsection (1) to the justice of the peace whose conduct was the subject of the hearing and to the complainant, if any; and

(b) may send notice of the order to any other person that the chairperson considers advisable.

(3) If the council recommends that the appointment of a justice of the peace be cancelled, or that the category to which the justice of the peace is assigned be changed, the chairperson of the council shall forward a copy of the recommendation to the Lieutenant Governor in Council.

(4) Subject to subsection (5), the Lieutenant Governor in Council may cancel the appointment of a justice of the peace or change the category to which the justice of the peace is assigned.

(5) The Lieutenant Governor in Council may do any of the things mentioned in subsection (4) only on the recommendation of the council pursuant to subsection (3) and only in accordance with that recommendation.

1997, c.10, s.8; 2010, c.14, s.9.

Immunity from liability

12.9 No action lies or shall be instituted against the chief judge, the council, an investigation committee or any member or officer of the council or a committee for damages caused by any act done or omitted to be done in good faith in the performance of any duty or respecting any matter in which it or he or she lacked or exceeded jurisdiction, unless it is proved that the act or omission was done in bad faith or without reasonable cause.

1997, c.10, s.8.

GENERAL

Duty rosters

13(1) The chief judge shall have general direction and supervision over the duties and sittings of justices of the peace.

(2) Subject to subsections (3) to (5) and (7), no justice of the peace shall perform any duty except in accordance with a duty roster established by the chief judge.

(3) Subject to any regulations prescribing the duties of a justice of the peace, the chief judge may designate:

(a) a justice of the peace, other than a justice of the peace who is a court official, to hear and determine matters involving alleged contraventions of municipal bylaws; or

(b) a justice of the peace to sit in the place of and exercise the powers of a judge of the Provincial Court.

(4) If the chief judge designates a justice of the peace pursuant to subsection (3), the chief judge shall specify the place at which and period during which the justice of the peace may do the things mentioned in that subsection.

(5) A justice of the peace who is designated pursuant to subsection (3) is entitled to be paid a fee that is prescribed in the regulations for services provided by him or her in carrying out his or her duties mentioned in that subsection.

(6) The duty roster established pursuant to subsection (2) must be available to the public during normal business hours of the Provincial Court of Saskatchewan.

(7) The fact that a justice of the peace performs a duty otherwise than in accordance with the duty roster established pursuant to subsection (2) does not invalidate any act done or matter decided as a consequence of the performance of that duty.

(8) The chief judge may delegate the exercise of any of his or her powers prescribed in this section to a supervising justice of the peace, and the exercise of those powers by the supervising justice of the peace is deemed to be an exercise by the chief judge

2010, c.14, s.10.

Certain provisions of *Criminal Code* to apply

14 Unless otherwise specially provided, the provisions of the *Criminal Code*, as amended from time to time, relating to:

(a) summary convictions; and

(b) extraordinary remedies;

apply to proceedings before justices of the peace under or by virtue of any law in force in Saskatchewan or municipal bylaws and to appeals from convictions or orders made under them.

1988-89, c.J-5.1, s.14.

Regulations

15 The Lieutenant Governor in Council may make regulations:

(a) requiring a justice of the peace to prepare and file reports respecting:

(i) the disposition of all matters commenced, tried, heard or adjudicated on, by or before him or her;

(ii) the receipt of money by him or her;

(iii) any other matters related to the duties of his or her office that may be prescribed by the Lieutenant Governor in Council;

(b) prescribing the form and manner in which reports required pursuant to clause (a) shall be prepared and filed;

(c) providing for the disposition of unclaimed money that may be held by a justice of the peace and for which no provision is made in this or any other Act;

(d) prescribing the benefits and fees to which justices of the peace are entitled;

(e) prescribing the manner in which accounts shall be prepared and certified by justices of the peace;

(f) providing that regulations made pursuant to this section shall apply to the whole or any designated portion of Saskatchewan;

(g) establishing categories of justices of the peace;

(h) prescribing the duties that may be performed by justices of the peace or a category of justices of the peace.

1988-89, c.J-5.1, s.15; 1997, c.10, s.9; 2010, c.14, s.11; 2013, c.12, s.4.

Delivery of certain property to successor

16(1) A justice of the peace who has possession, custody or control of any records, or other things belonging to or relating to his or her office that are not his or her private property shall give up possession of those things and deliver them to:

(a) his or her successor in office on the day that he or she ceases to hold office; or

(b) a person appointed by the council to demand possession and receive them, immediately when requested to do so by that person.

(2) A person who fails to comply with subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than $200.

1988-89, c.J-5.1, s.16; 2010, c.14, s.12.

R.S.S. 1978, c.J-5 repealed

17 *The Justices of the Peace Act* is repealed.

1988-89, c.J-5.1, s.17.

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