



# Magistrates' Courts Act 1980

## 1980 CHAPTER 43

### PART I

#### CRIMINAL JURISDICTION AND PROCEDURE

##### *Power to remit person under 17 for trial to juvenile court*

#### **29 Power of magistrates' court to remit a person under 17 for trial to a [<sup>F1</sup>youth court] in certain circumstances.**

(1) Where—

- (a) a person under [<sup>F2</sup>the age of 18 years] (“the juvenile”) appears or is brought before a magistrates' court other than a [<sup>F1</sup>youth court] on an information jointly charging him and one or more other persons with an offence; and
- (b) that other person, or any of those other persons, has attained that age,

subsection (2) below shall have effect notwithstanding proviso (a) in section 46(1) of the <sup>M1</sup>Children and Young Persons Act 1933 (which would otherwise require the charge against the juvenile to be heard by a magistrates' court other than a [<sup>F1</sup>youth court]).

In the following provisions of this section “the older accused” means such one or more of the accused as have attained [<sup>F2</sup>the age of 18 years].

(2) If—

- (a) the court proceeds to the summary trial of the information in the case of both or all of the accused, and the older accused or each of the older accused pleads guilty; or
- (b) the court—
  - (i) in the case of the older accused or each of the older accused, proceeds to inquire into the information as examining justices and either commits him for trial or discharges him; and
  - (ii) in the case of the juvenile, proceeds to the summary trial of the information,

*Status: Point in time view as at 10/04/1995.*

*Changes to legislation: Magistrates' Courts Act 1980, Cross Heading: Power to remit person under 17 for trial to juvenile court is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

then, if in either situation the juvenile pleads not guilty, the court may before any evidence is called in his case remit him for trial to a <sup>F1</sup>youth court] acting for the same place as the remitting court or for the place where he habitually resides.

- (3) A person remitted to a <sup>F1</sup>youth court] under subsection (2) above shall be brought before and tried by a <sup>F1</sup>youth court] accordingly.
- (4) Where a person is so remitted to a <sup>F1</sup>youth court]—
- (a) he shall have no right of appeal against the order of remission; and
  - (b) the remitting court may <sup>F3</sup>, subject to section 25 of the Criminal Justice and Public Order Act 1994,] give such directions as appear to be necessary with respect to his custody or for his release on bail until he can be brought before the <sup>F1</sup>youth court].
- (5) The preceding provisions of this section shall apply in relation to a corporation as if it were an individual who has attained <sup>F2</sup>the age of 18 years].

#### Textual Amendments

- F1** Words in s. 29 substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para. 40(2)(n)**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F2** Words in s. 29 substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 68(d), 101(1), Sch. 8 para. 6(1)(a), **Sch. 12 para. 22(1)**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F3** Words in s. 29(4)(b) inserted (10.4.1995) by 1994 c. 33, s. 168(2), **Sch. 10 para.41**; S.I. 1995/721, art. 2, **Sch. AppendixA**

#### Marginal Citations

- M1** 1933 c. 12.

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