

Status: Point in time view as at 20/11/2017.

Changes to legislation: Magistrates' Courts Act 1980, SCHEDULE 5 is up to date with all changes known to be in force on or before 27 July 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)

SCHEDULES

SCHEDULE 5

Section 130.

TRANSFER OF REMAND HEARINGS

- 1 A court which, on adjourning a case, makes an order under section 130(1) of this Act is not required at that time to fix the time and place at which the case is to be resumed but shall do so as soon as practicable after the order ceases to be in force.
- 2 ^[F1]Where an order under subsection (1) of section 130 of this Act is made in the course of proceedings which, for the purposes of section 8 of this Act, are committal proceedings, proceedings relating to the accused before the alternate court are also committal proceedings for those purposes.]

Textual Amendments

- F1** Sch. 5 para. 2 repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\)](#), [Sch. 3 para. 51\(14\)\(a\)](#), [Sch. 37 Pt. 4](#); [S.I. 2012/1320, art. 4\(1\)\(c\)\(d\)\(2\)\(3\)](#) (with [art. 5](#)) (see [S.I. 2012/2574, art. 4\(2\)](#) and [S.I. 2013/1103, art. 4](#)); [S.I. 2012/2574, art. 2\(2\)\(3\)\(c\)\(d\)](#), [Sch.](#) (with [arts. 3, 4](#)) (as amended (4.11.2012) by [S.I. 2012/2761, art. 2](#)) (with [S.I. 2013/1103, art. 4](#)); [S.I. 2013/1103, art. 2\(1\)\(c\)\(2\)\(3\)](#) (with [arts. 3, 4](#))

- 3 A court making an order under subsection (1) of section 130 of this Act or remanding the accused under subsection (4) shall at once notify ^[F2]the terms of the order or remand to the court before which the accused is to be brought for the hearing on any application for a subsequent remand or, as the case may be, before which any such application is to be made without his being brought before it]

Textual Amendments

- F2** Words substituted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 59\(1\)](#), [Sch. 9 para. 7](#)

- 4 A person to whom an order under section 130(1) of this Act applies shall, if released on bail, be bailed to appear before the court which made the order.
- 5 Section 130 of this Act and this Schedule have effect notwithstanding anything in sections ^[F3]10, 17C, 18(4) or 24C] of this Act.

Textual Amendments

- F3** Words in Sch. 5 para. 5 substituted (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\)](#), [Sch. 3 para. 51\(14\)\(b\)](#); [S.I. 2012/1320, art. 4\(1\)\(c\)\(2\)\(3\)](#) (with [art. 5](#)) (see [S.I. 2012/2574, art. 4\(2\)](#) and [S.I. 2013/1103, art. 4](#)); [S.I. 2012/2574, art. 2\(2\)\(3\)\(c\)](#), [Sch.](#) (with [arts. 3, 4](#)) (as amended (4.11.2012) by [S.I. 2012/2761, art. 2](#)) (with [S.I. 2013/1103, art. 4](#)); [S.I. 2013/1103, art. 2\(1\)\(c\)\(2\)\(3\)](#) (with [arts. 3, 4](#))

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