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SCHEDULES

SCHEDULE 1

Section 17.

OFFENCES TRIABLE EITHER WAY BY VIRTUE OF SECTION 17

1 Offences at common law of public nuisance.

VALID FROM 20/01/2004

[^{F1}1A An offence at common law of outraging public decency.]

Textual Amendments

F1 Sch. 1 para. 1A inserted (20.1.2004) by Criminal Justice Act 2003 (c. 44), ss. 320, 336; S.I. 2004/81, art. 2(2)(d)

2 Offences under section 8 of the ^{M1}Disorderly Houses Act 1751 (appearing to be keeper of bawdy house etc.).

Marginal Citations

M1 1751 c. 36.

3 Offences consisting in contravention of section 13 of the ^{M2}Statutory Declarations Act 1835 (administration by a person of an oath etc. touching matters in which he has no jurisdiction).

Marginal Citations

M2 1835 c. 62.

4 Offences under section 36 of the ^{M3}Malicious Damage Act 1861 (obstructing engines or carriages on railways).

Marginal Citations

M3 1861 c. 97.

5 Offences under the following provisions of the Offences against the ^{M4}Person Act 1861—

- (a) section 16 (threats to kill);
- (b) section 20 (inflicting bodily injury, with or without a weapon);

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- (c) section 26 (not providing apprentices or servants with food etc.);
- (d) section 27 (abandoning or exposing child);
- (e) section 34 (doing or omitting to do anything so as to endanger railway passengers);
- (f) section 36 (assaulting a clergyman at a place of worship etc.);
- (g) section 38 (assault with intent to resist apprehension);
- (h) section 47 (assault occasioning bodily harm. . . ^{F2});
- (i) section 57 (bigamy);
- (j) section 60 (concealing the birth of a child).

Textual Amendments

F2 Words repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(2), Sch. 8 para. 16, **Sch. 16**

Marginal Citations

M4 [1861 c. 100.](#)

6 Offences under section 20 of the ^{M5}Telegraph Act 1868 (disclosing or intercepting messages).

Marginal Citations

M5 [1868 c. 110.](#)

7 Offences under section 13 of the ^{M6}Debtors Act 1869 (transactions intended to defraud creditors).

Marginal Citations

M6 [1869 c. 62.](#)

8 Offences under section 5 of the ^{M7}Public Stores Act 1875 (obliteration of marks with intent to conceal).

Marginal Citations

M7 [1875 c. 25.](#)

9 Offences under section 12 of the ^{M8}Corn Returns Act 1882 (false returns).

Marginal Citations

M8 [1882 c. 37.](#)

10 ^{F3}

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Textual Amendments

F3 Sch. 1 para. 10 repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(4), Sch. 17 para. 35(1), **Sch. 18**

11 Offences under section 3 of the ^{M9}Submarine Telegraph Act 1885 (damaging submarine cables).

Marginal Citations

M9 1885 c. 49.

12 Offences under section 13 of the ^{M10}Stamp Duties Management Act 1891 (offences in relation to dies and stamps).

Marginal Citations

M10 1891 c. 38.

13 Offences under section 8(2) of the ^{M11}Cremation Act 1902 (making false representations etc. with a view to procuring the burning of any human remains).

Marginal Citations

M11 1902 c. 8.

14 All offences under the ^{M12}Perjury Act 1911 except offences under—
(a) section 1 (perjury in judicial proceedings);
(b) section 3 (false statements etc. with reference to marriage);
(c) section 4 (false statements etc. as to births or deaths).

Marginal Citations

M12 1911 c. 6.

15 **F4**

Textual Amendments

F4 Sch. 1 para. 15 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

16 Offences under section 17 of the ^{M13}Deeds of Arrangement Act 1914 (trustee making preferential payments).

Marginal Citations

M13 1914 c. 47.

17 **F5**

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Textual Amendments

F5 Sch. 1 para. 17 repealed by Wages Act 1986 (c. 48, SIF 43:2), s. 32(2), **Sch. 5 Pt. III**

18 Offences under section 8(2) of the ^{M14}Census Act 1920 (disclosing census information).

Marginal Citations

M14 1920 c. 41.

19 Offences under section 36 of the ^{M15}Criminal Justice Act 1925 (forgery of passports etc.).

Marginal Citations

M15 1925 c. 86.

20 Offences under section 11 of the ^{M16}Agricultural Credits Act 1928 (frauds by farmers).

Marginal Citations

M16 1928 c. 43.

21 **F6**

Textual Amendments

F6 Sch. 1 para. 21, 24 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

^{F7}22

Textual Amendments

F7 Sch. 1 para. 22 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), **Sch. 2** (with art. 4(11))

23 Offences under the following provisions of the ^{M17}Sexual Offences Act 1956—
(a) section 6 (unlawful sexual intercourse with a girl under 16);
(b) section 13 (indecenty between men);
(c) section 26 (permitting a girl under 16 to use premises for sexual intercourse).

Marginal Citations

M17 1956 c. 69.

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24 F8

Textual Amendments

F8 Sch. 1 para. 21, 24 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. I

25 F9

Textual Amendments

F9 Sch. 1 para. 25 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 5(2), Sch. 1 Pt. I, Sch. 4

26 The following offences under the ^{M18}Criminal Law Act 1967—
 (a) offences under section 4(1) (assisting offenders); and
 (b) offences under section 5(1) (concealing arrestable offences and giving false information),
 where the offence to which they relate is triable either way.

Marginal Citations

M18 1967 c. 58.

27 Offences under section 4(1) of the ^{M19}Sexual Offences Act 1967 (procuring others to commit homosexual acts).

Marginal Citations

M19 1967 c. 60.

28 All indictable offences under the ^{M20}Theft Act 1968 except:—
 (a) robbery, aggravated burglary, blackmail and assault with intent to rob;
 (b) burglary comprising the commission of, or an intention to commit, an offence which is triable only on indictment;
 (c) burglary in a dwelling if any person in the dwelling was subjected to violence or the threat of violence.

Marginal Citations

M20 1968 c. 60.

29 Offences under the following provisions of the ^{M21}Criminal Damage Act 1971—
 section 1(1) (destroying or damaging property);
 section 1(1) and (3) (arson);
 section 2 (threats to destroy or damage property);
 section 3 (possessing anything with intent to destroy or damage property).

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Marginal Citations
 M21 1971 c. 48.

- 30 Offences in relation to stamps issued for the purpose of national insurance under the provisions of any enactments as applied to those stamps.
- 31 Uttering any forged document the forgery of which is an offence listed in this Schedule.
- 32 Committing an indecent assault upon a person whether male or female.
- 33 Aiding, abetting, counselling or procuring the commission of any offence listed in the preceding paragraphs of this Schedule except paragraph 26.
- 34 F10

Textual Amendments
 F10 Sch. 1 para. 34 repealed by Criminal Attempts Act 1981 (c. 47, SIF 39:1), s. 10, Sch. Pt. I

- 35 Any offence consisting in the incitement to commit an offence triable either way except an offence mentioned in paragraph 33. . . F11 above.

Textual Amendments
 F11 Words repealed by Criminal Attempts Act 1981 (c. 47, SIF 39:1), s. 10, Sch. Pt. I

SCHEDULE 2

Section 22.

OFFENCES FOR WHICH THE VALUE INVOLVED
 IS RELEVANT TO THE MODE OF TRIAL

Offence	Value involved	How measured
1. Offences under section 1 of the Criminal Damage Act 1971 (destroying or damaging property), excluding any offence committed by destroying or damaging property by fire.	As regards property alleged to have been destroyed, its value.	What the property would probably have cost to buy in the open market at the material time.
	As regards property alleged to have been damaged, the value of the alleged damage.	(a) If immediately after the material time the damage was capable of repair— (i) what would probably then have been the market price

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2. The following offences, namely—	The value indicated in paragraph 1 above for the offence alleged to have been aided, abetted, counselled or procured, or attempted or incited.	for the repair of the damage, or (ii) what the property alleged to have been damaged would probably have cost to buy in the open market at the material time, whichever is the less; or (b) if immediately after the material time the damage was beyond repair, what the said property would probably have cost to buy in the open market at the material time. As for the corresponding entry in paragraph 1 above.
(a) aiding, abetting, counselling or procuring the commission of any offence mentioned in paragraph 1 above;		
(b) attempting to commit any offence so mentioned; and		
(c) inciting another to commit any offence so mentioned.		

Modifications etc. (not altering text)

C1 Sch. 2 para. 2 modified (1.10.2008) by Serious Crime Act 2007 (c. 27), ss. 63(1)(2), 94, Sch. 6 para. 5 (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)(g)

[^{F123} 3. Offences under section 12A of the Theft Act 1968 (aggravated vehicle-taking) where no allegation is made under subsection (1) (b) other than of damage, whether to the vehicle or other property or both.	The total value of the damage alleged to have been caused.	(1) In the case of damage to any property other than the vehicle involved in the offence, as for the corresponding entry in paragraph 1 above, substituting a reference to the time of the accident concerned for any reference to the material time.
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(2) In the case of damage to the vehicle involved in the offence —

(a) if immediately after the vehicle was recovered the damage was capable of repair—

(i) what would probably then have been the market price for the repair of the damage, or

(ii) what the vehicle would probably have cost to buy in the open market immediately before it was unlawfully taken,

whichever is the less; or

(b) if immediately after the vehicle was recovered the damage was beyond repair, what the vehicle would probably have cost to buy in the open market immediately before it was unlawfully taken.]

Textual Amendments

F12 Sch. 2 para. 3 inserted (1.4.1992) by Aggravated Vehicle-Taking Act 1992 (c. 11), s. 2(1); S.I. 1992/764, art.2

SCHEDULE 3

Section 46.

CORPORATIONS

Modifications etc. (not altering text)

- C2** Sch. 3 extended by Insurance Companies Act 1982 (c. 50, SIF 67), s. 92(3)(a)
- C3** Sch. 3 extended by Companies Act 1985 (c. 6, SIF 27), s. 734(3)
- C4** Sch. 3 extended by Financial Services Act 1986 (c. 60, SIF 69), s. 203(3)
- C5** Sch. 3 extended (prosp.) by Building Societies Act 1986 (c. 53, SIF 16), ss. 54(3)(a)(5), 124, 126(3), Sch. 21 para. 11(4) (but the said Sch. 21 was repealed (22.7.2004) before it came into force by Statute Law (Repeals) Act 2004 c. 14, s. 1(1), Sch. 1 Pt. 17 Gp. 2)
- C6** Sch. 3 extended by Banking Act 1987 (c. 22, SIF 10), s. 98(3)
- C7** Sch. 3 applied by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A) ss. 285(2)(b), the application being in force 13.8.1990 as mentioned in S.I. 1990/1400, art. 2(b)

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- C8** Sch. 3 applied (1.3.1990 for certain purposes as mentioned in S.I. 1990/142, **art. 3** but otherwise 1.10.1991) by **Companies Act 1989** (c.40, SIF 27), **ss. 44(3)**, 91(3); S.I. 1991/1996, **art. 2**
Sch. 3 extended (6.1.1997) by S.I. 1996/2827, **reg. 70(3)**
Sch. 3 applied (with modifications) (16.2.2001) by 2000 c. 41, **s. 153(3)** (with s. 156(6)); S.I. 2001/222, **art. 2**, **Sch. 1**, Pt. I (subject to Transitional Provisions in Pt. II)
Sch. 3 applied (18.6.2001) by 2000 c. 8, **s. 403(4)(a)**; S.I. 2001/1820, **art. 2**, **Sch.**
Sch. 3 applied (31.5.2002) by 2001 c. 24, **s. 69(4)(a)**; S.I. 2002/1279, **art. 2**
Sch. 3 extended (7.11.2002) by 2002 c. 38, **ss. 143(5)(a)**, 148(1) (with Sch. 4 paras. 6-8)
- C9** Sch. 3 applied (2.8.2004) by **The Justification of Practices Involving Ionising Radiation Regulations 2004** (S.I. 2004/1769), arts. 1, 25(1), **Sch. 2 para. 11**
Sch. 3 applied (7.2.2005) by **Licensing Act 2003** (c. 17), **ss. 188(4)**, 201 (with ss. 2(3), 15(2) and 195); S.I. 2004/2360, **art. 2(1)**, Sch.
Sch. 3 applied by 1989 c. 41, **Sch. 9A para. 5A(4)** (as inserted (1.3.2005 for E. and 1.4.2006 for W.) by **Children Act 2004** (c. 31), ss. 48, 67, **Sch. 4 para. 9**; S.I. 2005/394, **art. 2(1)(k)**; S.I. 2006/885, **art. 2(2)(c)**
Sch. 3 applied (1.4.2005) by **Gangmasters (Licensing) Act 2004** (c. 11), **ss. 21(4)(b)**, 29; S.I. 2005/447, **art. 2(j)**
Sch. 3 applied (1.4.2005) by **Gangmasters (Licensing) Act 2004** (c. 11), **ss. 22(6)(b)**, 29; S.I. 2005/447, **art. 2(k)**
Sch. 3 applied (1.3.2007) by **National Health Service Act 2006** (c. 41), **ss. 207(4)**, 277
Sch. 3 applied (1.3.2007) by **National Health Service (Wales) Act 2006** (c. 42), **ss. 155(4)**, 208 (with s. 19(3))
Sch. 3 applied (6.4.2007) by **Childcare Act 2006** (c. 21), **ss. 88(3)**, 109; S.I. 2007/1019, **art. 4**
Sch. 3 applied (15.12.2007) by **The Money Laundering Regulations 2007** (S.I. 2007/2157), **reg. 47(8)(a)**
Sch. 3 applied (15.12.2007) by **The Transfer of Funds (Information on the Payer) Regulations 2007** (S.I. 2007/3298), **reg. 16(8)(a)**
- C10** Sch. 3 applied (20.1.2007 for specified purposes and 6.4.2007 for further specified purposes and 1.10.2007 for further specified purposes and 6.4.2008 further specified purposes and 1.10.2008 for further specified purposes and otherwise 1.10.2009) by **Companies Act 2006** (c. 46), **ss. 1130(2)(b)(i)** (with s. 1133), 1300; S.I. 2006/3428, **art. 3(2)(b)** (with arts. 6, 12(2)); S.I. 2007/1093, **art. 2(2)(c)** (with art. 11); S.I. 2007/2194, **art. 2(1)(l)** (with art. 12); S.I. 2007/3495, arts. {3(3)(g)}, {5(3)(a)} (with arts. 7, 12); S.I. 2008/2860, **art. 3(s)** (with arts. 5, 7, 8, Sch. 2)
- C11** Sch. 3 applied (1.2.2007 (W.) for certain purposes and 2.4.2007 (W.) for further certain purposes and 1.7.2007 (E.) for certain purposes, and 22.4.2008 (E.) for further certain purposes and 13.12.2008 (W.) for further certain purposes and otherwise prosp.) by **Health Act 2006** (c. 28), **ss. 77(4)(a)**, 83; S.I. 2007/204, arts. {2}, {3}; S.I. 2007/1375, **art. 2**; S.I. 2008/1147, **art. 3(b)(c)**; S.I. 2008/3171, **art. 2(b)**
- C12** Sch. 3 applied (6.4.2008) by **Companies Act 2006** (c. 46), **ss. 1257(3)**, 1300; S.I. 2007/3495, **art. 3(1)(u)**
- C13** Sch. 3 extended (1.1.2010) by **Legal Services Act 2007** (c. 29), **ss. 197(5)**, 211 (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(g)**
- C14** Sch. 3 applied by 1985 c. 61, s. 10(7) (as substituted (31.3.2009) by **Legal Services Act 2007** (c. 29), ss. 177, 211, **Sch. 16 para. 83(4)** (with ss. 29, 192, 193); S.I. 2009/503, **art. 2(b)(ii)**)
- C15** Sch. 3 applied (6.4.2008) by **Serious Crime Act 2007** (c. 27), **ss. 31(6)(b)(i)**, **32(5)(b)(i)**, 94; S.I. 2008/755, **art. 15(1)(f)** (subject to art 15(2)(3))
- C16** Sch. 3 applied (12.1.2009) by **Health and Social Care Act 2008** (c. 14), **ss. 92(3)**, 170; S.I. 2008/3168, **art. 2(1)(q)** (subject to art. 2(2) and with transitional provisions in arts. 3-8)
- C17** Sch. 3 applied (12.10.2009) by **Education and Skills Act 2008** (c. 25), **ss. 136(3)**, 173; S.I. 2009/1606, **art. 4**
- C18** Sch. 3 applied (prosp.) by **Pensions Act 2008** (c. 30), **ss. 47(2)(b)(i)**, 149
- C19** Sch. 3 applied (5.2.2008) by **Transport Act 1968** (c. 73), s. 102B(4)(a) (as inserted by **The Passenger and Goods Vehicles (Recording Equipment) (Downloading and Retention of Data) Regulations 2008** (S.I. 2008/198), regs. 1(1), 3)
- C20** Sch. 3 applied (9.3.2009) by **The Ozone-Depleting Substances (Qualifications) Regulations 2009** (S.I. 2009/216), **reg. 10(6)(b)(i)**

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- C21** Sch. 3 applied (9.3.2009) by [The Fluorinated Greenhouse Gases Regulations 2009 \(S.I. 2009/261\)](#), **reg. 52(6)(b)(i)**
- C22** Sch. 3 applied (27.4.2009) by [The Organic Products Regulations 2009 \(S.I. 2009/842\)](#), **reg. 28(4)(a)**
- C23** Sch. 3 applied (1.5.2009) by [The Payment Services Regulations 2009 \(S.I. 2009/209\)](#), **regs. 1(2)(b)(xiii), 118(4)(a)**
- C24** Sch. 3 applied (E.) (30.6.2009) by [The Swine Vesicular Disease Regulations 2009 \(S.I. 2009/1299\)](#), **reg. 44(2)(b)**
- C25** Sch. 3 applied (W.) (30.6.2009) by [The Swine Vesicular Disease \(Wales\) Regulations 2009 \(S.I. 2009/1372\)](#), **reg. 44(2)(b)**
- C26** Sch. 3 applied (E.) (1.7.2009) by [The Marketing of Fresh Horticultural Produce Regulations 2009 \(S.I. 2009/1361\)](#), **reg. 19(7)(b)**
- C27** Sch. 3 applied (W.) (16.7.2009) by [The Marketing of Fresh Horticultural Produce \(Wales\) Regulations 2009 \(S.I. 2009/1551\)](#), **reg. 19(7)(b)**
- C28** Sch. 3 applied (1.8.2009) by [The Horse Passports Regulations 2009 \(S.I. 2009/1611\)](#), **reg. 24(2)(b)**
- C29** Sch. 3 applied (W.) (1.10.2009) by [The Equine Identification \(Wales\) Regulations 2009 \(S.I. 2009/2470\)](#), **reg. 24(2)(b)**
- C30** Sch. 3 applied (30.10.2009) by [The Groundwater \(England and Wales\) Regulations 2009 \(S.I. 2009/2902\)](#), **reg. 24(2)(b)**
- C31** Sch. 3 applied (E.) (31.12.2009) by [The Sheep and Goats \(Records, Identification and Movement\) \(England\) Order 2009 \(S.I. 2009/3219\)](#), {art. 40(2)(b)}
- C32** Sch. 3 applied (W.) (31.12.2009) by [The Sheep and Goats \(Records, Identification and Movement\) \(Wales\) Order 2009 \(S.I. 2009/3364\)](#), {art. 43(2)(b)}
- C33** Sch. 3 applied (1.1.2010) by [The Common Agricultural Policy Single Payment and Support Schemes \(Integrated Administration and Control System\) Regulations 2009 \(S.I. 2009/3263\)](#), **reg. 12(2)(b)(i)**

- 1 (1) A magistrates' court may commit a corporation for trial by an order in writing empowering the prosecutor to prefer a bill of indictment in respect of the offence named in the order.
- (2) An order under this paragraph shall not prohibit the inclusion in the bill of indictment of counts that under section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1933 may be included in the bill in substitution for, or in addition to, counts charging the offence named in the order.
- 2 A representative may on behalf of a corporation—
 - ^{F13}(a) make before examining justices such representations as could be made by an accused who is not a corporation;
 - (b) consent to the corporation being tried summarily;
 - (c) enter a plea of guilty or not guilty on the trial by a magistrates' court of an information.

Textual Amendments

- F13** Sch. 3 para. 2(a) substituted (4.7.1996 with effect as mentioned in [Sch. 1 para. 39](#) of the amending Act and [S.I. 1997/683](#)) by [1996 c. 25, s. 47](#), [Sch. 1 Pt. I para.13 Pt. III para. 39](#) (with [s. 78\(1\)](#)); [S.I. 1997/683](#), **art. 1(2)**

- 3 (1) Where a representative appears, any requirement of this Act that anything shall be done in the presence of the accused, or shall be read or said to the accused, shall be construed as a requirement that that thing shall be done in the presence of the representative or read or said to the representative.

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- (2) Where a representative does not appear, any such requirement, and any requirement that the consent of the accused shall be obtained for summary trial, shall not apply.
- 4 (1) Notification or intimation for the purposes of subsections (2) and (3) of section 12 above may be given on behalf of a corporation by a director or the secretary of the corporation; and those subsections shall apply in relation to a notification or intimation purporting to be so given as they apply to a notification or intimation purporting to be given by an individual accused.
- (2) In this paragraph “director”, in relation to a corporation which is established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking and whose affairs are managed by the members thereof, means a member of that corporation.

F145

Textual Amendments

F14 Sch. 3 para. 5 repealed (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), ss. 25(2), 101(2), [Sch.13](#) (with s. 28); S.I. 1992/333, art. 2(2), [Sch.2](#)

- 6 Subject to the preceding provisions of this Schedule, the provisions of this Act relating to the inquiry into, and trial of, indictable offences shall apply to a corporation as they apply to an adult.
- 7 Where a corporation and an individual who has attained the age of 17 are jointly charged before a magistrates’ court with an offence triable either way, the court shall not try either of the accused summarily unless each of them consents to be so tried.
- 8 Subsection (6) of section 33 of the ^{M22}Criminal Justice Act 1925 shall apply to a representative for the purposes of this Schedule as it applies to a representative for the purposes of that section.

Marginal Citations

M22 1925 c. 86.

SCHEDULE 4 Section 76.

MAXIMUM PERIODS OF IMPRISONMENT IN DEFAULT OF PAYMENT

Modifications etc. (not altering text)

C34 Sch. 4 applied (5.4.1993) by [Child Support Act 1991 \(c. 48, SIF 20\)](#), s. 40(7), (with s. 9(2)); S.I. 1992/2644, art.2

C35 Sch. 4 excluded (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 22(1) (with s. 28); S.I. 1992/333, art. 2 [Sch.2](#)

- 1 Subject to the following provisions of this Schedule, the periods set out in the second column of the following Table shall be the maximum periods applicable

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respectively to the amounts set out opposite thereto, being amounts due at the time the imprisonment [^{F15}or detention] is imposed.

TABLE

[^{F16} An amount not exceeding £200]	[^{F16} 7 days]
[^{F16} An amount exceeding £200 but not exceeding £500]	[^{F16} 14 days]
[^{F16} An amount exceeding £500 but not exceeding £1,000]	[^{F16} 28 days]
[^{F16} An amount exceeding £1,000 but not exceeding £2,500]	[^{F16} 45 days]
[^{F16} An amount exceeding £2,500 but not exceeding £5,000]	[^{F16} 3 months]
[^{F17} An amount exceeding £5,000 but not exceeding £10,000]	[6 months]
An amount exceeding [^{F18} £10,000]	12 months

Textual Amendments

- F15** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 59**
- F16** Entries in Sch. 4 para. 1 substituted (1.10.1992) by virtue of [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 23(1), (with s. 28); [S.I. 1992/333](#), art. 2(2), **Sch.2**
- F17** Words substituted by [Criminal Justice Act 1988 \(c.33, SIF 39:1\)](#), ss. 60(1), 123(6), **Sch.8 para. 16**
- F18** Sum substituted by [S.I. 1984/447](#), art. 2(2), **Sch. 3**

- 2 (1) Where the amount due at the time imprisonment [^{F19}or detention] is imposed is so much of a sum adjudged to be paid by a summary conviction as remains due after part payment, then, subject to sub-paragraph (2) below, the maximum period applicable to the amount shall be the period applicable to the whole sum reduced by such number of days as bears to the total number of days therein the same proportion as the part paid bears to the whole sum.
- (2) In calculating the reduction required under sub-paragraph (1) above any fraction of a day shall be left out of account and the maximum period shall not be reduced to less than [^{F20}seven days].

Textual Amendments

- F19** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 59**
- F20** Words in Sch. 4 para. 2(2) substituted (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 100, **Sch. 11 para.28**; [S.I. 1992/333](#), art. 2(2), **Sch.2**

- 3 The maximum period applicable to a sum of any amount enforceable as a civil debt shall be 6 weeks.

Status: Point in time view as at 06/04/2003.

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VALID FROM 18/07/2005

[^{F21}SCHEDULE 4A

Section 125BA

POWERS OF AUTHORISED OFFICERS EXECUTING WARRANTS

Textual Amendments

F21 Sch. 4A inserted (18.7.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 27, 60, Sch. 4; S.I. 2005/1821, art. 2

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 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.
- 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 [^{F22}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

F22 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 5, 10 or 18(4) of this Act.

Status: Point in time view as at 06/04/2003.

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SCHEDULE 6

Section 137.

FEES

[^{F23}PART IFEES TO BE TAKEN BY [^{F24}JUSTICES' CHIEF EXECUTIVES]**Textual Amendments**

F23 Sch. 6 Pt. I: varied so as to have effect (1.8.1993) as set out in the Sch. to S.I. 1993/1889 by S.I. 1993/1889, art. 2, Sch.

F24 Words in Sch. 6 Pt. I Heading substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, 117 (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(ii) (with Sch. 2 para. 2)

Modifications etc. (not altering text)

C36 Sch. 6 Pt. I continues to have effect (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 4 para. 7(1)(b) (with Sch. 4 paras. 6-8); S.I. 2005/2897, art. 2

	£
ATTENDANCE	44.00
On a justice, to view deserted premises in order to affix notice or to give possession thereof, or to view a highway, bridge or nuisance	
CASE FOR THE OPINION OF HIGH COURT (s. 111 of this Act)	382.00
Drawing case, copies, taking recognizance as required by s. 114 of this Act and enlargements and renewals thereof (composite fee), where the application to state a case is made on or after 1st April 1992	
Certificate of refusal of case, where the application is so made	8.00
CERTIFICATE	8.00
Every certificate not otherwise charged	
CHILD SUPPORT ACT 1991	0.70
^{M23} Application for a liability order (each child)	
NOTE: This fee is payable on the making of the application.	30.00
Paternity application (each child) (sections 20 and 27 of the Act ^{F30})	
Appeal against a deduction from earnings order	10.00
Complaint or application and summons	10.00

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Warrant of arrest 10.00

Commitment order 40.00

NOTE: The fee for a commitment order is payable on the making of the order.

COMMUNITY CHARGE/COUNCIL 0.70

TAX/RATES

Orders

Application for a liability order (each defendant)

NOTE: This fee is payable on the making of the application. 10.00

Commitment

Complaint (or application) and summons

Warrant of arrest 10.00

Commitment order 40.00

NOTE: The fee for a commitment order is payable on the making of the order.

COPY 1.10

First photocopy or 90 word folio of any document

Each folio of succeeding 90 words 0.55

Each additional photocopy 0.10

NOTE: No fee shall be charged in pursuance hereof for a copy of a summons, of an order or of a warrant in a case in which, as hereafter provided, a fee is authorised for the summons, the order or, as the case may be, the warrant and a copy thereof. For the purposes hereof, a reference to a photocopy includes a reference to any other facsimile copy, however made.

DUPLICATE 5.00

For the duplicate of any document

FAMILY PROCEEDINGS 30.00

Applications under Parts I or II of the Children Act 1989^{M24}, [F31section 30 of the Human Fertilisation and Embryology Act 1990], Part I of the Domestic Proceedings and Magistrates' Courts Act 1978^{M25}, except under section 16 of that Act for the protection of a spouse or child from violence, the Adoption Act 1976^{M26}, except under section 21 of that Act, and all applications for financial orders (excluding applications to vary or discharge such orders or in respect of claims for maintenance or maintenance orders made to the benefit of, or against, a person residing outside the United Kingdom)

Applications under section 31 (care or supervision order), 36 (education supervision 50.00

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order) or 43 (child assessment order) of the Children Act 1989

Applications 20.00

(a) to vary, extend or discharge an order;
(b) for contact or refusal of contact with a child in care, to change a child's surname or remove the child from the jurisdiction;
and

(c) under section 21 of the Adoption Act 1976

Applications under [F32 Part XA] (affecting the registration of a child minder or day carer including appeals against cancellation or varying the conditions of the registration) of, and paragraph 8(1) of Schedule 8 (appeals concerning foster parenting) to, the Children Act 1989 50.00

NOTE: When an application requires the leave of the court, the relevant fee applies where leave is sought but no further fee may be charged if leave is granted and the application is made.

LICENCES 8.00

For every licence, consent or authority not otherwise provided for, to include registration when necessary

Application for the revocation of a licence not otherwise provided for 30.00

OATHS 8.00

Attestation of constable

Every oath, affirmation or solemn declaration not otherwise charged (no fee is payable for the swearing in of witnesses in civil proceedings or in any case where an Act of Parliament directs that no fee shall be taken) 8.00

OTHER CIVIL PROCEEDINGS 3.50

Complaint or application

Summons and copy 3.50

Order and copy 16.50

Warrant and copy 6.50

WARRANT OF ENTRY 2.25

Application for a warrant of entry

NOTE:

1. Nothing in this Part shall be construed as authorising—

- (a) the collection of any fee from any person who is [F25 receiving services funded by the Legal Services Commission as part of the Community Legal Service] or is in receipt of income support [F26 under section 124 of the Social Security Contributions and Benefits Act 1992,] [F27 of an income-based jobseeker's allowance (payable under the Jobseekers Act 1995)] [F28, of guarantee state pension credit (under section 1(3)(a) of the State Pension Credit Act 2002)] [F29],

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- of any element of child tax credit other than the family element or of working tax credit]; or
- (b) where, in family proceedings, a fee is payable, as herebefore provided, in respect of an application for any order, the demand of a fee in respect of any action which may subsequently be taken in relation to the enforcement of the order in question.
2. Only one fee is payable where more than one document is issued in relation to a partnership.
3. Nothing in this Part shall be construed as authorising the collection of any fee from any person in respect of any stage in binding over proceedings. For the purpose of this Part, "binding over proceedings" means any proceedings instituted (whether by way of complaint under section 115 of this Act or otherwise) with a view to obtaining from a magistrates' court an order requiring a person to enter into a recognizance to keep the peace or to be of good behaviour.]

Textual Amendments

- F25** Words in Sch. 6 Pt. I Note para. 1(a) substituted (1.4.2000) by 1999 c. 22, s. 24, Sch. 4 paras. 15, 20 (with s. 107, Sch. 14 para. 7(2)); S.I. 2000/774, art. 2(a)(ii)
- F26** Words in Sch. 6 Pt. I Note para. 1(a) substituted (6.4.2003) by 2002 c. 21, ss. 47, 61, Sch. 3 para. 2(a); S.I. 2003/962, art. 2(3)(b)(d) (subject to arts. 3, 4)
- F27** Words in Sch. 6 Pt. I Note para. 1(a) inserted (7.10.1996) by 1995 c. 18, s. 41(4), Sch. 2 para. 4; S.I. 1996/2208, art. 2(b)
- F28** Words in Sch. 6 Pt. I Note para. 1(a) inserted (2.7.2002 for certain purposes and otherwise 6.10.2003) by 2002 c. 16, s. 14, Sch. 2 Pt. 3 para. 25; S.I. 2002/1691 art. 2; S.I. 2003/1766, art. 2
- F29** Words in Sch. 6 Pt. I Note para. 1(a) inserted (6.4.2003) by 2002 c. 21, ss. 47, 61, Sch. 3 para. 2(b); S.I. 2003/962, art. 2(3)(d) (subject to arts. 3 and 4)
- F30** By virtue of the Child Support Appeals (Jurisdiction of Courts) Order (S.I. 1993/961) appeals under section 20 relating to issues of parentage are to be made to the court instead of to the child support appeals tribunal.
- F31** Words in Sch. 6 Pt. I inserted (1.2.1995) by S.I. 1994/3250, art. 2
- F32** Words in Sch. 6 Pt. I substituted (2.7.2001) by 2000 c. 14, s. 116, Sch. 4 para. 7; S.I. 2001/2041, art. 2(1)(d)(i)(2)(3) (with transitional provisions and savings in Sch.)

Marginal Citations

- M23** 1991 c.48.
M24 1989 c.41.
M25 1978 c.22.
M26 1976 c.36.

PART II

MATTERS IN RESPECT OF WHICH NO FEES ARE CHARGEABLE

- 1 Any summons, warrant, notice or order issued, given or made under section 83(1) or (2), 88, 89 or 136 of this Act, or section 104 of the General Rate Act 1967, or under any rule made for the purposes of those provisions.
- 2 Any criminal matter, but this paragraph shall not prevent the charging of a fee for supplying, for use in connection with a matter which is not a criminal matter, a copy of a document prepared for use in connection with a criminal matter.

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PART III

MATTERS TO WHICH PART I DOES NOT APPLY

F33

.....

1

Textual Amendments

F33 Sch. 6 Pt. III para. 1 repealed by Billiards (Abolition of Restrictions) Act 1987 (c. 19), s. 1, **Sch.**

F34

.....

2

Textual Amendments

F34 Sch. 6 Pt. III para. 2 repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47(3), **Sch. 7 Pt. I**

3

Licences under [^{F35}section 1 of the Cinemas Act 1985].

Textual Amendments

F35 Words substituted by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(1), **Sch. 2 para. 12**

F36

.....

4

Textual Amendments

F36 Sch. 6 Pt. III para. 4 repealed by Pilotage Act 1987 (c. 21, SIF 111), s. 32(5), **Sch. 3**

5

Matters in respect of which fees are authorised to be charged by section 29 of the Licensing Act 1964.

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[^{F37}SCHEDULE 6A

FINES THAT MAY BE ALTERED UNDER SECTION 143

Textual Amendments

F37 Sch. 6A substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 17(3)(d), 101(1), Sch. 4, Pt.IV, **Sch. 12 para. 6** (with s. 28); S.I. 1992/333, art. 2(2), **Sch. 2**.

Enactment	Maximum fine
F38 ...	F38 F38
ATTACHMENT OF EARNINGS ACT 1971 (c.32) Section 23(3) (judge's fine)	£250
F38 ...	F38 ...
MAGISTRATES' COURTS ACT 1980 (c.43) Section 63(3)(a) (disobedience of orders other than payment of money) Section 97(4) (refusal to give evidence etc.)	£5,000 £2,500
CONTEMPT OF COURT ACT 1981 (c.49) Section 12(2) (contempt in face of magistrates' court) Section 14(2) (contempt in an inferior court)	£2,500 £2,500

Textual Amendments

F38 Entries in Sch. 6A repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 9 para. 80(1), **Sch. 12 Pt. I**

Enactment	Maximum fine
F38 ...	F38 ...
COUNTY COURTS ACT 1984 (c.28) Section 55(2) (neglect or refusal to give evidence) Section 118(1) (contempt in face of court)	£1,000 £2,500
CORONERS ACT 1988 (c.13) Sections 10(1) and (2) and 21(5) (refusal to give evidence etc.)	£1,000
F38 ...	F38 ...]

[^{F39}POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000

Section 123(3) (failure to comply with suspended sentence supervision order)	£1,000
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In Schedule 3, paragraphs 4(1) and 5(1) (failure to comply with certain community orders)	£1,000
In Schedule 5, paragraph 2(1) (failure to comply with attendance centre order or attendance centre rules)	£1,000
In Schedule 7, paragraph 2(2) (failure to comply with supervision order)	£1,000]

Textual Amendments

F39 Entry in Sch. 6A inserted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 9 para. 80(2)**

X1 SCHEDULE 7

Section 154

CONSEQUENTIAL AMENDMENTS

Editorial Information

X1 The text of Sch. 7 paras. 1-3, 5-13, 16-18, 20, 21, 23-27, 30, 35-37, 43-48, 50, 51, 53-56, 61-77, 80-82, 85-90, 93-109, 113-115, 118, 119, 121-125, 130-132, 134-137, 139-155, 159-164, 167, 169-171, 175-183, 186, 187, 190-198, 202-204 and 207 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Summary Jurisdiction Act 1857 (20 & 21 Vict. c. 43)

F40₁

Textual Amendments

F40 Sch. 7 para. 1 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. I** Group1

Criminal Law Amendment Act 1867 (30 & 31 Vict. c. 35)

[**F41**₂ In section 6 of the Criminal Law Amendment Act 1867 for “section forty-one of the Magistrates’ Courts Act 1952” substitute “ section 105 of the Magistrates’ Courts Act 1980 ” and for “section fifteen of the Justices of the Peace Act 1949” substitute “ section 144 of that Act ”.]

Textual Amendments

F41 **Sch. 7 para. 2** repealed (E.W.) (4.7.1996 with effect in relation to any alleged offence in relation to which Pt. I of 1996 c. 25 applies) by 1996 c. 25, ss. 44, 47, 80, **Sch. 1 para. 39, Sch.5 para. 2** (with s. 78(1)); S.I. 1997/683, **art. 1(2)**

Status: Point in time view as at 06/04/2003.

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Gun Barrel Proof Act 1868 (c. cxiii)

F42₃

Textual Amendments

F42 Sch. 7 para. 3 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group 2

Criminal Justice Act 1925 (15 & 16 Geo. 5 c. 86)

4 F43

Textual Amendments

F43 Sch. 7 para. 4 repealed by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), Sch. 7 Pt. V

5 In section 33(4) of the Criminal Justice Act 1925 for the words following “may be made by rules” in the second place where those words occur substitute “under section 144 of the Magistrates’ Courts Act 1980”.

Children and Young Persons Act 1933 (23 & 24 Geo. 5 c. 12)

6 In section 46(1A) of the Children and Young Persons Act 1933 for “section I of the Magistrates’ Courts Act 1957” substitute “section 12 of the Magistrates’ Courts Act 1980”.

Criminal Justice Act 1948 (11 & 12 Geo. 6 c. 58)

7 In section 27(3) of the Criminal Justice Act 1948 for “section 105(5) of the Magistrates’ Courts Act 1952” substitute “section 128(7) of the Magistrates’ Courts Act 1980”.

Maintenance Orders Act 1950 (14 Geo. 6 c. 37)

8 In section 25(1) of the Maintenance Orders Act 1950 for “section fifteen of the Justices of the Peace Act 1949” substitute “section 144 of the Magistrates’ Courts Act 1980”.

Rag Flock and Other Filling Materials Act 1951 (14 & 15 Geo. 6 c. 63)

F44₉

Textual Amendments

F44 Sch. 7 para. 9 repealed (6.1.1997) by S.I. 1996/3097, art. 3(1)(c)

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Pharmacy Act 1954 (2 & 3 Eliz. 2 c. 61)

- 10 In section 21 of the Pharmacy Act 1954 for “the Magistrates’ Courts Act 1952” substitute “the Magistrates’ Courts Act 1980”.

Mines and Quarries Act 1954 (2 & 3 Eliz. 2 c. 70)

- 11 In section 153(a) of the Mines and Quarries Act 1954 for “section thirty-five of the Magistrates’ Courts Act 1952” substitute “ section 44 of the Magistrates’ Courts Act 1980 ”.

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

- 12 In sections 187(4) and 215(9) of the Army Act 1955 for “the Magistrates’ Courts Act 1952” substitute, in each case, “ the Magistrates’ Courts Act 1980 ”.

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

- 13 In sections 187(4) and 215(9) of the Air Force Act 1955 for “the Magistrates’ Courts Act 1952” substitute, in each case, “ the Magistrates’ Courts Act 1980 ”.

- 14, 15. F45

Textual Amendments

F45 Sch. 7 paras. 14, 15 repealed by Food Act 1984 (c. 30, SIF 53:1), s. 134, Sch. 11

Magistrates’ Courts (Appeals from Binding Over Orders) Act 1956 (4 & 5 Eliz. 2 c. 44)

- 16 In section 1(1) of the Magistrates’ Courts (Appeals from Binding Over Orders) Act 1956 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

Sexual Offences Act 1956 (4 & 5 Eliz. 2 c. 69)

- 17 In section 37(7) of the Sexual Offences Act 1956—
- (a) in paragraph (a) for “section 6 of the Children and Young Persons Act 1969” substitute “ section 24 of the Magistrates’ Courts Act 1980 ”;
 - (b) in paragraph (b) for “subsection (5) of section ninety-eight of the Magistrates’ Courts Act 1952” substitute “ subsection (5) of section 121 of the Magistrates’ Courts Act 1980 ”.

- 18 In Part II of Schedule 2 to the Sexual Offences Act 1956, in paragraphs 17 and 18—
- (a) in sub-paragraph (ii) in the second column of each paragraph, for “section 16(2) of the Criminal Law Act 1977” substitute “ section 17(1) of the Magistrates’ Courts Act 1980 ” ;
 - (b) in the third column of each paragraph, for “section 28(1) of that Act” substitute “ section 32(1) of that Act ”.

- 19 F46

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Textual Amendments

F46 Sch. 7 para. 19 repealed by Dentists Act 1983 (c. 38, SIF 83:1), s. 33(2), Sch. 3 Pt. I

Affiliation Proceedings Act 1957 (5 & 6 Eliz. 2 c. 55)

- 20 In section 5(5) of the Affiliation Proceedings Act 1957 for “section fifty-two of the Magistrates’ Courts Act 1952” substitute “ section 59 of the Magistrates’ Courts Act 1980 ”.
- 21 In section 6A of the Affiliation Proceedings Act 1957—
- (a) in subsection (1) for “section 53 of the Magistrates’ Courts Act 1952” substitute “ section 60 of the Magistrates’ Courts Act 1980 ”;
 - (b) in subsection (2) for the “said section 53” substitute “ the said section 60 ”;
 - (c) in subsection (5) for “section 63 of the Magistrates’ Courts Act 1952” substitute “ section 75 of the Magistrates’ Courts Act 1980 ”
- 22 F47

Textual Amendments

F47 Sch. 7 para. 22 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 5(2), Sch. 1 Pt. I, Sch. 4

Maintenance Orders Act 1958 (6 & 7 Eliz. 2 c. 39)

- 23 In section 18 of the Maintenance Orders Act 1958—
- (a) in subsection (1) for “subsection (2) of section sixty-five of the Magistrates’ Courts Act 1952” substitute “ subsection (2) of section 77 of the Magistrates’ Courts Act 1980 ”;
 - (b) in subsection (6) for “section sixty-seven of the, Magistrates’ Courts Act 1952” substitute “ section 79 of the Magistrates, Courts Act 1980 ”.
- 24 In section 21(1) of the Maintenance Orders Act 1958 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ” and for “subsection (2) of section one hundred and twenty-four thereof” substitute “ subsection (2) of section 148 thereof ”.

Adoption Act 1958 (7 Eliz. 2 c. 5)

- 25 In section 9(2) and (4) of the Adoption Act 1958 for “section fifteen of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.
- 26 In section 48 of the Adoption Act 1958 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

Manoeuvres Act 1958 (7 & 8 Eliz. 2 c. 7)

- F48 27

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Textual Amendments

F48 Sch. 7 para. 27 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), **Sch. 15 Pt. V(1)** (with s. 107, Sch. 14 paras. 3(3), 5(2))

28 **F49**

Textual Amendments

F49 Sch. 7 para. 28 repealed by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), **Sch. 4**

29 **F50**

Textual Amendments

F50 Sch. 7 para. 29 repealed by Highways Act 1980 (c. 66, SIF 59), s. 343(3), **Sch. 25**

Street Offences Act 1959 (7 & 8 Eliz. 2 c. 57)

30 In section 2(2) of the Street Offences Act 1959 for “section fifteen of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ” and for “sections forty-seven to forty-nine of the Magistrates’ Courts Act 1952” substitute “ sections 55 to 57 of that Act ”.

31, 32. **F51**

Textual Amendments

F51 Sch. 7 paras. 31, 32 repealed by Mental Health Act 1983 (c. 20, SIF 85), s. 148(3), Sch. 6

33, 34. **F52**

Textual Amendments

F52 Sch. 7 paras. 33, 34 repealed by Mental Health (Amendment) Act 1982 (c. 51, SIF 85), s. 65(2), **Sch. 4 Pt. I**

Road Traffic Act 1960 (8 & 9 Eliz. 2 c. 16)

^{F53}35

Textual Amendments

F53 Sch. 7 para. 35 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XV** Group1

Administration of Justice Act 1960 (8 & 9 Eliz. 2 c. 65)

36 In section 13(5) of the Administration of Justice Act 1960, in paragraph (c) for “subsection (3) of section fifty-four of the Magistrates’ Courts Act 1952” substitute

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“ subsection (3) of section 63 of the Magistrates' Courts Act 1980 ”, and in the words following paragraph (c) for “the Magistrates' Courts Act 1952” substitute “ the Magistrates' Courts Act 1980 ”.

Factories Act 1961 (9 & 10 Eliz. 2 c. 34)

F54 37

Textual Amendments

F54 Sch. 7 para. 37 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group 3

Criminal Justice Act 1961 (9 & 10 Eliz. 2 c.39)

38—42. F55

Textual Amendments

F55 Sch. 7 paras. 38–42, 79 and 84 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, Sch. 16

Plant Varieties and Seeds Act 1964 (c. 14)

43 In section 23(2) of the Plant Varieties and Seeds Act 1964 for “section 104 of the Magistrates' Courts Act 1952” substitute “ section 127(1) of the Magistrates' Courts Act 1980 ”.

44 In section 28 of the Plant Varieties and Seeds Act 1964—
(a) in subsection (1) for “section 104 of the Magistrates' Courts Act 1952” substitute “ section 127(1) of the Magistrates' Courts Act 1980 ” ;
(b) in subsection (2) for “the said section 104” substitute “ the said section 127(1) ”.

Licensing Act 1964 (c. 26)

45 In section 22(4) of the Licensing Act 1964 for “section 85(2) of the Magistrates' Courts Act 1952” substitute “ section 109(1) of the Magistrates' Courts Act 1980 ”.

46 In section 28(2) of the Licensing Act 1964 for “Section 118(2) of the Magistrates' Courts Act 1952” substitute “ Section 141(2) of the Magistrates' Courts Act 1980 ”.

47 In section 48(3) of the Licensing Act 1964 for “section 104 of the Magistrates' Courts Act 1952” substitute “ section 127(1) of the Magistrates' Courts Act 1980 ”.

48 In section 192(2) of the Licensing Act 1964 for “section 3 of the Magistrates' Courts Act 1952” substitute “ section 3 of the Magistrates' Courts Act 1980 ”.

49 F56

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F56 Sch. 7 para. 49 repealed by Licensing Act 1988 (c. 17, SIF 68A), s. 19(2), Sch. 4

50 In Schedule 6 to the Licensing Act 1964—

- (a) in paragraph 16(2), for “subsections (1) and (3) of section 77 and section 98 of the Magistrates’ Courts Act 1952” substitute “ subsections (1) and (3) of section 97 and section 121 of the Magistrates’ Courts Act 1980 ” ;
- (b) in paragraph 18, for the words from “section 15 of the Justices of the Peace Act 1949” to the end substitute “ section 144 of the Magistrates’ Courts Act 1980, shall have effect subject to any rules so made and to any rules made under section 15 of the Justices of the Peace Act 1949 (which was re-enacted in the said section 144) after 3rd August 1961 ”.

Administration of Justice Act 1964 (c. 42)

51 In section 38(1) of the Administration of Justice Act 1964 for “section 28 or 29 of the Magistrates’ Courts Act 1952” substitute “ section 37 or 38 of the Magistrates’ Courts Act 1980 ”.

52 **F57**

Textual Amendments

F57 Sch. 7 para. 52 repealed by S.I. 1981/1675, (N.I. 26), art. 170(3), Sch. 7

Finance Act 1965 (c. 25)

F58 53

Textual Amendments

F58 Sch. 7 para. 53 repealed (1.5.2002 (E.) 14.8.2002 (W.)) by 2000 c. 38, s. 274, Sch. 31 Pt. II; S.I. 2002/1014, art. 2, Sch; S.I. 2002/2024, art. 2

Gas Act 1965 (c. 36)

54 In section 21(4) of the Gas Act 1965 for “section 35 of the Magistrates’ Courts Act 1952” substitute “ section 44 of the Magistrates’ Courts Act 1980 ”.

Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)

F59 55

Textual Amendments

F59 Sch. 7 para. 55 repealed (19.6.1997) by 1997 c. 25, ss. 73(3), 74(1), Sch. 6 Pt.I (with Sch. 4 para. 27)

Status: Point in time view as at 06/04/2003.

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Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69)

56 In section 8 of the Criminal Procedure (Attendance of Witnesses) Act 1965 for “section 77 of the Magistrates’ Courts Act 1952” substitute “ section 97 of the Magistrates’ Courts Act 1980 ”.

57—60. F60

Textual Amendments

F60 Sch. 7 paras. 57–60 repealed for financial years beginning in or after 1990 by [Local Government Finance Act 1988 \(c. 41, SIF 81:1, 103:2\)](#), ss. 142, 149, [Sch. 13 Pt. 1](#) (subject to any saving in s. 117(8) of that 1988 Act)

Criminal Law Act 1967 (c. 58)

61 In section 2(1) of the Criminal Law Act 1967 for “section 29 of the Criminal Law Act 1977” substitute “ section 33 of the Magistrates’ Courts Act 1980 ”, for “subsection (2) of section 23 of the said Act of 1977” substitute “ subsection (2) of section 22 of the said Act of 1980 ” and for “the said section 23” substitute “ the said section 22 ”.

Wireless Telegraphy Act 1967 (c. 72)

62 In section 11(4) of the Wireless Telegraphy Act 1967 for “section 115 of the Magistrates’ Courts Act 1952” substitute “ section 140 of the Magistrates’ Courts Act 1980 ”.

Criminal Justice Act 1967 (c. 80)

[^{F61}63 In section 7 of the Criminal Justice Act 1967 for “section 2 of this Act” substitute “ section 102 of the Magistrates’ Courts Act 1980 ”.]

Textual Amendments

F61 Sch. 7 para. 63 repealed (E.W.N.I.) (4.7.1996 with effect in relation to any alleged offence in relation to which Pt. I of 1996 c. 25 applies) by 1996 c. 25, ss. 44, 68, 80, [Sch. 2 para. 7](#), [Sch.5 para. 2](#) (with s. 78(1)); S.I. 1997/683, [art. 1\(2\)](#)

[^{F62}64 In section 11(3) of the Criminal Justice Act 1967 for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.]

Textual Amendments

F62 Sch. 7 para. 64 repealed (E.W.N.I.) (4.7.1996 with application as mentioned in ss. 1(5), 74(5) of the repealing Act; S.I. 1997/682 and S.I. 1997/3108) by 1996 c. 25, ss. 1(5), 44, 74(5), 80, [Sch.5 para. 2](#) (with s. 78(1)); S.I. 1997/682, [art. 2\(1\)\(a\)\(2\)](#); S.I. 1997/3108, [arts. 1\(2\), 2\(a\)](#)

^{F63}65

Status: Point in time view as at 06/04/2003.

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Textual Amendments

F63 Sch. 7 para. 65 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

66 In section 36(2) of the Criminal Justice Act 1967 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

^{F64}67

Textual Amendments

F64 Sch. 7 para. 67 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

68 In section 62(7) of the Criminal Justice Act 1967 for “section 29 of the Magistrates’ Courts Act 1952” substitute “ section 38 of the Magistrates’ Courts Act 1980 ”.

69 In section 90(2) and (4) of the Criminal Justice Act 1967 for “section 104 of the Magistrates’ Courts Act 1952” substitute, in each case, “section 127(1) of the Magistrates’ Courts Act 1980”.

Companies Act 1967 (c. 81)

70 In section 49(3) of the Companies Act 1967 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Criminal Appeal Act 1968 (c. 19)

71 In section 1 of the Criminal Appeal Act 1968—
(a) in subsection (1) insert at the beginning “ Subject to subsection (3) below ” ;
(b) insert after subsection (2)—

“(3) Where a person is convicted before the Crown Court of a scheduled offence it shall not be open to him to appeal to the Court of Appeal against the conviction on the ground that the decision of the court which committed him for trial as to the value involved was mistaken.

(4) In subsection (3) above “scheduled offence” and “the value involved” have the same meanings as they have in section 22 of the Magistrates’ Courts Act 1980 (certain offences against property to be tried summarily if value of property or damage is small).”.

Firearms Act 1968 (c. 27)

72 In section 51(4) of the Firearms Act 1968 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

73 In Part II of Schedule 6 to the Firearms Act 1968, in paragraph 3—
(a) in sub-paragraph (1) for “Schedule 3 to the Criminal Law Act 1977” substitute “ Schedule 1 to the Magistrates’ Courts Act 1980 ” ;
(b) in sub-paragraph (2) for “sections 19 to 24 of the said Act of 1977” substitute “ sections 18 to 23 of the said Act of 1980 ” ;

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- (c) in sub-paragraph (3) for “the said sections 19 to 24” substitute “ the said sections 18 to 23 ” and for “section 25(3) and (4) of the said Act of 1977” substitute “ section 25(3) and (4) of the said Act of 1980 ”.

Trade Descriptions Act 1968 (c. 29)

- 74 In section 19(2) and 40(1)(a) of the Trade Descriptions Act 1968 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Civil Evidence Act 1968 (c. 64)

- F65 75

Textual Amendments

F65 Sch. 7 para. 75 repealed (31.1.1997) by 1995 c. 38, s. 15(2), **Sch.2** (with ss. 1(3), 6(4)(5), 14); S.I. 1996/3217, **art.2**

Medicines Act 1968 (c. 67)

- 76 In section 125(1) of the Medicines Act 1968 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Sea Fisheries Act 1968 (c. 77)

- 77 In section 12(3) of the Sea Fisheries Act 1968 for “Sections 65(1) and 66 of the Magistrates’ Courts Act 1952” substitute “ Sections 77(1) and 78 of the Magistrates’ Courts Act 1980 ”.

Children and Young Persons Act 1969 (c. 54)

- F66 78

Textual Amendments

F66 Sch. 7 para. 78 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

- 79 F67

Textual Amendments

F67 Sch. 7 paras. 38–42, 79 and 84 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, **Sch. 16**

- 80 In section 8(3) of the Children and Young Persons Act 1969 for “Subsections (2) and (4) of section 40 of the Magistrates’ Courts Act 1952” substitute “ Subsections (2) and (4) of section 49 of the Magistrates’ Courts Act 1980 ”.

- F68 81

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Textual Amendments

F68 Sch. 7 para. 81 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F69}82

Textual Amendments

F69 Sch. 7 para. 82 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F70}83

Textual Amendments

F70 Sch. 7 para. 83 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

84 ^{F71}

Textual Amendments

F71 Sch. 7 paras. 38–42, 79 and 84 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, **Sch. 16**

^{F72}85

Textual Amendments

F72 Sch. 7 para. 85 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), **Sch. 15 Pt. V(1)** (with s. 107, Sch. 14 paras. 7(2), 36(9))

86 In Schedule 4 to the Children and Young Persons Act 1969, in paragraph 5(1), for “section 28(1) of the Magistrates’ Courts Act 1952” substitute “ section 37(1) of the Magistrates’ Courts Act 1980 ”.

87 In Schedule 5 to the Children and Young Persons Act 1969, in paragraph 55, for “sections 2 and 9 of the Criminal Justice Act 1967” substitute “ section 9 of the Criminal Justice Act 1967 and section 102 of the Magistrates’ Courts Act 1980 ”.

Administration of Justice Act 1970 (c. 31)

88 In section 41(8) of the Administration of Justice Act 1970 for “section 64 of the Magistrates’ Courts Act 1952” substitute “ section 76 of the Magistrates’ Courts Act 1980 ” and for “paragraph 2 of Schedule 3 to that Act” substitute “ paragraph 2 of Schedule 4 to that Act ”.

89 In Schedule 1 to the Administration of Justice Act 1970 for “section 54(3) of the Magistrates’ Courts Act 1952” substitute “ section 63(3) of the Magistrates’ Courts Act 1980 ”.

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Merchant Shipping Act 1970 (c. 36)

- 90 In section 56(2) and (7) of the Merchant Shipping Act 1970 for “subsections (1), (3) and (4) of section 77 of the Magistrates’ Courts Act 1952” substitute, in each place, “subsections (1), (3) and (4) of section 97 of the Magistrates’ Courts Act 1980”.

Guardianship of Minors Act 1971 (c. 3)

- F73 91

Textual Amendments

- F73** Sch. 7 para. 91 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

- F74 92

Textual Amendments

- F74** Sch. 7 para. 92 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

Vehicles (Excise) Act 1971 (c. 10)

- F75 93

Textual Amendments

- F75** Sch. 7 para. 93 repealed (1.9.1994) by 1994 c. 22, ss. 65, 66(1), Sch. 5 Pt.I (with s. 57(4))

Courts Act 1971 (c. 23)

- 94 In section 7(2) of the Courts Act 1971 for “subsection (1) above” substitute “section 7 of the Magistrates’ Courts Act 1980”;

- 95 In section 13 of the Courts Act 1971—
(a) in subsection (5)(e) for “sections 94 and 95 of the Magistrates’ Courts Act 1952” substitute “sections 118 and 119 of the Magistrates’ Courts Act 1980”;
(b) in subsection (8) for “the Magistrates’ Courts Act 1952” substitute “the Magistrates’ Courts Act 1980”.

- 96 In section 52(5) of the Courts Act 1971 for “section 55 of the Magistrates’ Courts Act 1952” substitute “section 64 of the Magistrates’ Courts Act 1980”.

Attachment of Earnings Act 1971 (c. 32)

- 97 In section 3 of the Attachment of Earnings Act 1971—
(a) in subsection (1)(c) for “section 52(1) of the Magistrates’ Courts Act 1952” substitute “section 59(1) of the Magistrates’ Courts Act 1980”;
F76 (b)

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Textual Amendments

F76 Sch. 7 para. 97(b) repealed (1.4.1992) by Maintenance Enforcement Act 1991 (c. 17, SIF 49:3), s. 11(2), Sch.3; S.I. 1992/455, art.2.

- 98 In section 8(3) of the Attachment of Earnings Act 1971 for “section 65(2) of the Magistrates’ Courts Act 1952” substitute “ section 77(2) of the Magistrates’ Courts Act 1980 ”.
- 99 In section 17(3)(e) of the Attachment of Earnings Act 1971 for “Part III of the Magistrates’ Courts Act 1952” substitute “ Part III of the Magistrates’ Courts Act 1980 ”.
- 100 In section 19 of the Attachment of Earnings Act 1971—
- (a) in subsection (4) for “section 43 of the Magistrates’ Courts Act 1952” substitute “ section 51 of the Magistrates’ Courts Act 1980 ” ;
 - (b) in subsection (5) for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.
- 101 In section 25 of the Attachment of Earnings Act 1971—
- (a) in subsection (1), in the definition of “rules of court”, for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ” ; and
 - (b) in subsection (6) for “Part III of the Magistrates’ Courts Act 1952” substitute “ Part III of the Magistrates’ Courts Act 1980 ”.
- Misuse of Drugs Act 1971 (c. 38)*
- 102 In section 25(4) of the Misuse of Drugs Act 1971 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.
- Fire Precautions Act 1971 (c. 40)*
- 103 In section 26(1) of the Fire Precautions Act 1971 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.
- Immigration Act 1971 (c. 77)*
- 104 In section 6(2) of the Immigration Act 1971 for “section 14(3) of the Magistrates’ Courts Act 1952” substitute “ section 10(3) of the Magistrates’ Courts Act 1980 ”.
- Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*
- 105 In section 14(3) and (6) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 for “section 77(1), (3) and (4) of the Magistrates’ Courts Act 1952” substitute, in each case, “ section 97(1), (3) and (4) of the Magistrates’ Courts Act 1980 ”.

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106 In section 18(1) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.

107 In section 21(1) of the Maintenance Orders (Reciprocal Enforcement) Act 1972, in the definition of “prescribed”, for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.

^{F77}108

Textual Amendments

F77 Sch. 7 para. 108 repealed (5.11.1993) by Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56), s. 2(2), Sch.3; S.I. 1993/618, art.2

109 In section 38(4) and (6) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 for “section 77(1), (3) and (4) of the Magistrates’ Courts Act 1952” substitute, in each case, “ section 97(1), (3) and (4) of the Magistrates’ Courts Act 1980 ”.

[^{F78}110 In section 41 of the Maintenance Orders (Reciprocal Enforcement) Act 1972—
(a) in subsections (1), (2A) and (2B) for “section 53 of the Magistrates’ Courts Act 1952” substitute, in each case, “section 60 of the Magistrates’ Courts Act 1980” ;
(b) in subsection (2A) for “section 15 of the Justices of the Peace Act 1949” substitute “section 144 of the Magistrates’ Courts Act 1980” ;
(c) in subsection (2B) for “section 47(3) of the Magistrates’ Courts Act 1952” substitute “section 55(3) of the Magistrates’ Courts Act 1980”.]

Textual Amendments

F78 Sch. 7 para. 110 repealed (E.W.)(14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

111, 112. ^{F79}

Textual Amendments

F79 Sch. 7 paras. 111, 112 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt. I, Sch. 4 paras. 1, 2

Civil Evidence Act 1972 (c. 30)

113 In section 2(8) of the Civil Evidence Act 1972 for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.

Criminal Justice Act 1972 (c. 71)

114 In section 46 of the Criminal Justice Act 1972—

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- (a) in subsection (1) for the words from “Sections 2” to “those sections)” substitute “ Section 102 of the Magistrates’ Courts Act 1980 and section 9 of the Criminal Justice Act 1967 (which respectively allow written statements to be used as evidence in committal proceedings and in other criminal proceedings) and section 106 of the said Act of 1980 and section 89 of the said Act of 1967 (which punish the making of false statements which are tendered in evidence under the said section 102 or 9, as the case may be) ” ;
- (b) in subsection (2) for “The said section 2” substitute “ The said section 102 ”.

115 In section 49(1) of the Criminal Justice Act 1972 for “Part III of the Magistrates’ Courts Act 1952” substitute “ Part III of the Magistrates’ Courts Act 1980 ”.

Guardianship Act 1973 (c. 29)

F80 116

Textual Amendments
F80 Sch. 7 para. 116 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

F81 117

Textual Amendments
F81 Sch. 7 para. 117 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

Fair Trading Act 1973 (c. 41)

118 In section 129(2) and (4) of the Fair Trading Act 1973 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Powers of Criminal Courts Act 1973 (c. 62)

F82 119

Textual Amendments
F82 Sch. 7 para. 119 repealed (25.8.2000) by 2000 c.6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

F83 120

Textual Amendments
F83 Sch. 7 para. 120 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

F84 121

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Textual Amendments

F84 Sch. 7 para. 121 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

^{F85}122

Textual Amendments

F85 Sch. 7 para. 122 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

^{F86}123

Textual Amendments

F86 Sch. 7 para. 123 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

Slaughterhouses Act 1974 (c. 3)

124 In section 6(2) of the Slaughterhouses Act 1974 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”

125 In sections 38(6) and 43(3) of the Slaughterhouses Act 1974 for “section 35 of the Magistrates’ Courts Act 1952” substitute, in each case, “ section 44 of the Magistrates’ Courts Act 1980 ”

126— ^{F87}
129.

Textual Amendments

F87 Sch. 7 paras. 126–129 repealed by Legal Aid Act 1988 (c. 34, SIF 77:1), s. 45(2), Sch. 6

Control of Pollution Act 1974 (c. 40)

130 In section 87(3) of the Control of Pollution Act 1974 for “section 104 of the Magistrates’ Courts Act 1952” substitute “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Friendly Societies Act 1974 (c. 46)

131 In section 102 of the Friendly Societies Act 1974 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

Solicitors Act 1974 (c. 47)

132 In sections 26, 42(2) and 44(4) of the Solicitors Act 1974 for “the Magistrates’ Courts Act 1952” substitute, in each case, “ the Magistrates’ Courts Act 1980 ”.

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Insurance Companies Act 1974 (c. 49)

133 F88

Textual Amendments

F88 Sch. 7 para. 133 repealed by Insurance Companies Act 1982 (c. 50, SIF 67), s. 99(3), **Sch. 6**

Rehabilitation of Offenders Act 1974 (c. 53)

134 In section 6(6)(a) of the Rehabilitation of Offenders Act 1974 for “section 23 of the Criminal Law Act 1977” substitute “ section 22 of the Magistrates’ Courts Act 1980 ”.

Social Security Act 1975 (c. 14)

^{F89}135

Textual Amendments

F89 Sch. 7 para. 135 repealed (1.7.1992) by Social Security (Consequential Provisions) Act 1992 (c. 6), ss. 3, 7(2), **Sch.1** (subject as mentioned in Local Government Finance Act 1992 (c. 14), s. **118**)

Criminal Procedure (Scotland) Act 1975 (c. 21)

136 In section 397(1) of the Criminal Procedure (Scotland) Act 1975 for “section 72A of the Magistrates’ Courts Act 1952” substitute “ section 90 of the Magistrates’ Courts Act 1980 ”.

137 In section 403 of the Criminal Procedure (Scotland) Act 1975—

(a) in subsection (4) for “section 72A of the Magistrates’ Courts Act 1952” substitute “ section 90 of the Magistrates’ Courts Act 1980 ”, for “the said Act of 1952” (in the first place where the words occur) substitute “ the said Act of 1980 ” and for “the Table set out in paragraph 1 of Schedule 3 to the said Act of 1952” substitute “ the Table set out in paragraph I of Schedule 4 to the said Act of 1980 ” ;

(b) in subsection (6) for “section 72A of the Magistrates’ Courts Act 1952” substitute “ section 90 of the Magistrates’ Courts Act 1980 ”.

Children Act 1975 (c. 72)

[^{F90}138 In section 46(4) of the Children Act 1975 for “section 55(1) of the Magistrates’ Courts Act 1952” substitute “ section 64(1) of the Magistrates’ Courts Act 1980 ”.]

Textual Amendments

F90 Sch. 7 para. 138 repealed (E.W.) (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Prevention of Terrorism (Temporary Provisions) Act 1976 (c. 8)

- 139 In section 12(3) of the Prevention of Terrorism (Temporary Provisions) Act 1976 for “Section 38 of the Magistrates’ Courts Act 1952” substitute “ Section 43 of the Magistrates’ Courts Act 1980 ”.

Restrictive Trade Practices Act 1976 (c. 34)

- 140 In sections 39(2) and 41(5) and (7) of the Restrictive Trade Practices Act 1976 for “section 104 of the Magistrates' Courts Act 1952” substitute, in each case, “ section 127(1) of the Magistrates’ Courts Act 1980 ”.

Adoption Act 1976 (c. 36)

- 141 In section 66(2) of the Adoption Act 1976 for “section 15 of the Justices of the Peace Act 1949” substitute “section 144 of the Magistrates’ Courts Act 1980”.

Modifications etc. (not altering text)

C37 The text of Sch. 7 paras. 1–3, 5–13, 16–18, 20, 21, 23–27, 30, 35–37, 43–48, 50, 51, 53–56, 61–77, 80–82, 85–90, 93–109, 113–115, 118, 119, 121–125, 130–132, 134–137, 139–155, 159–164, 167, 169–171, 175–183, 186, 187, 190–198, 202–204, 207 and Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 142 In section 72(1) of the Adoption Act 1976, in the definition of “rules”, for “section 15 of the Justices of the Peace Act 1949” substitute “section 144 of the Magistrates’ Courts Act 1980”.

Modifications etc. (not altering text)

C38 The text of Sch. 7 paras. 1–3, 5–13, 16–18, 20, 21, 23–27, 30, 35–37, 43–48, 50, 51, 53–56, 61–77, 80–82, 85–90, 93–109, 113–115, 118, 119, 121–125, 130–132, 134–137, 139–155, 159–164, 167, 169–171, 175–183, 186, 187, 190–198, 202–204, 207 and Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Bail Act 1976 (c. 63)

^{F91}143

Textual Amendments

F91 Sch. 7 para. 143 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

^{F92}144

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F92 Sch. 7 para. 144 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

145 In section 4(7) of the Bail Act 1976 for “section 8 of the Magistrates’ Courts Act 1952” substitute “section 41 of the Magistrates’ Courts Act 1980”.

^{F93}146

Textual Amendments

F93 Sch. 7 para. 146 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Land Drainage Act 1976 (c. 70)

^{F94}147

Textual Amendments

F94 Sch. 7 para. 147 repealed (1.12.1991) by *Water Consolidation (Consequential Provisions) Act 1991* (c. 60, SIF 130), ss. 3(1), 4(2), **Sch. 3, Pt. I** (with Sch. 2 paras. 10, 14(1) and 15)

Sexual Offences (Amendment) Act 1976 (c. 82)

[^{F95}148 In section 3(3) of the Sexual Offences (Amendment) Act 1976 for “section 6(1) of the Children and Young Persons Act 1969” substitute “ section 24(1) of the Magistrates’ Courts Act 1980 ”.]

Textual Amendments

F95 Sch. 7 para. 148 repealed (4.12.2000) by 1999 c. 23, s. 67(3), **Sch. 6** (with Sch. 7 paras. 3(3), 5(2)); S.I. 2000/3075, **art. 2(c)(ii)**

Criminal Law Act 1977 (c. 45)

149 In section 28(8) of the Criminal Law Act 1977 for “Schedule 3 to this Act” substitute “ Schedule I to the Magistrates’ Courts Act 1980 ”.

150 In section 38(1) of the Criminal Law Act 1977 for “subsection (4) of section 102 of the Magistrates’ Courts Act 1952” substitute “ subsection (3) of section 125 of the Magistrates’ Courts Act 1980 ”.

151 In section 48(1) of the Criminal Law Act 1977 for “section 15 of the Justices of the Peace Act 1949” substitute “ section 144 of the Magistrates’ Courts Act 1980 ”.

152 In section 64(2) of the Criminal Law Act 1977 for “section 23 above” substitute “ section 22 of the Magistrates’ Courts Act 1980 (cases where value involved is small) ”.

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

153 In section 65(2) of the Criminal Law Act 1977 for “14” substitute “ 15 ” and for “Magistrates’ Courts Act 1952” substitute “ Magistrates’ Courts Act 1980 ”.

154 In paragraph 1 of Schedule 5 to the Criminal Law Act 1977—
(a) in subparagraph (1)(b), for “subparagraph (2)(b) below” substitute “ subparagraph (IA) below ” ;
(b) after subparagraph (1) insert—

“(1A) The offences mentioned in subparagraph (1)(b) above are offences under the following provisions of the Misuse of Drugs Act 1971, where the controlled drug in relation to which the offence was committed was a Class C drug, namely—

- (i) section 4(2) (production, or being concerned in the production, of a controlled drug) ;
- (ii) section 4(3) (supplying or offering a controlled drug or being concerned in the doing of either activity by another) ;
- (iii) section 5(3) (having possession of a controlled drug with intent to supply it to another)
- (iv) section 8 (being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there) ;
- (v) section 12(6) (contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs) ; or
- (vi) section 13(3) (contravention of direction prohibiting practitioner etc. from prescribing, supplying, etc. controlled drugs).”.

155 In paragraph 1 of Schedule 14 to the Criminal Law Act 1977 for “14 to 26, 34 and 35” substitute “ 15 and 17 ”.

Civil Aviation Act 1978 (c. 8)

156 F96

Textual Amendments

F96 Sch. 7 para. 156 repealed by [Aviation Security Act 1982 \(c. 36, SIF 9\)](#), s. 40(3), [Sch. 3](#)

Domestic Proceedings and Magistrates’ Courts Act 1978 (c. 22)

F97 157

Textual Amendments

F97 Sch. 7 para. 157 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch.15](#) (with [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

F98 158

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F98 Sch. 7 para. 158 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

159 In section 16(8) of the Domestic Proceedings and Magistrates' Courts Act 1978 for "Part II of the Magistrates' Courts Act 1952" substitute "Part 11 of the Magistrates' Courts Act 1980".

Modifications etc. (not altering text)

C39 The text of Sch. 7 paras. 1–3, 5–13, 16–18, 20, 21, 23–27, 30, 35–37, 43–48, 50, 51, 53–56, 61–77, 80–82, 85–90, 93–109, 113–115, 118, 119, 121–125, 130–132, 134–137, 139–155, 159–164, 167, 169–171, 175–183, 186, 187, 190–198, 202–204, 207 and Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

160 In section 22 of the Domestic Proceedings and Magistrates' Courts Act 1978 for "section 63 of the Magistrates' Courts Act 1952" substitute " section 75 of the Magistrates' Courts Act 1980 ".

161 In section 23 of the Domestic Proceedings and Magistrates' Courts Act 1978—
(a) in subsection (1) for "section 55(1) of the Magistrates' Courts Act 1952" substitute " section 64(1) of the Magistrates' Courts Act 1980 " ;
(b) in subsection (2) for "section 53 of the Magistrates' Courts Act 1952" substitute " section 60 of the Magistrates' Courts Act 1980 " and for "section 54(2) of that Act" substitute " section 63(2) of that Act ".

162 In section 24(3) of the Domestic Proceedings and Magistrates' Courts Act 1978 for "section 47(3) of the Magistrates' Courts Act 1952" substitute " section 55(3) of the Magistrates' Courts Act 1980 ".

163 In section 30(1) of the Domestic Proceedings and Magistrates' Courts Act 1978 for "section 11 of the Administration of Justice Act 1964" substitute " section 70 of the Magistrates' Courts Act 1980 ".

164 In section 32(2) of the Domestic Proceedings and Magistrates' Courts Act 1978 for "section 52 of the Magistrates' Courts Act 1952" substitute " section 59 of the Magistrates' Courts Act 1980 " and for "the said section 52" substitute " the said section 59 ".

F99 165

Textual Amendments

F99 Sch. 7 para. 165 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

F100 166

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F100 Sch. 7 para. 166 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch.15 (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, art. 3(2)

167 In section 88(1) of the Domestic Proceedings and Magistrates' Courts Act 1978 for "section 56 of the Magistrates' Courts Act 1952" substitute " section 65 of the Magistrates' Courts Act 1980 " and for "section 15 of the Justices of the Peace Act 1949" substitute " section 144 of the Magistrates' Courts Act 1980 ".

Nuclear Safeguards and Electricity (Finance) Act 1978 (c. 25)

^{F101}168

Textual Amendments

F101 Sch. 7 para. 168 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

Interpretation Act 1978 (c. 30)

169 In Schedule 1 to the Interpretation Act 1978—
(a) in paragraph (a) of the definition of "committed for trial" for "section 7 of the Magistrates' Courts Act 1952" substitute " section 6 of the Magistrates' Courts Act 1980 " ;
(b) in paragraph (a) of the definition of "magistrates' court" for "section 124 of the Magistrates' Courts Act 1952" substitute " section 148 of the Magistrates' Courts Act 1980 " ;
(c) in the entry about expressions relating to offences for "section 23 of the Criminal Law Act 1977" substitute " section 22 of the Magistrates' Courts Act 1980 "

Theft Act 1978 (c. 31)

170 In section 4(3)(b) of the Theft Act 1978 for "section 28 of the Criminal Law Act 1977" substitute " section 32 of the Magistrates' Courts Act 1980 ".

Protection of Children Act 1978 (c. 37)

171 In section 6(3)(b) of the Protection of Children Act 1978 for "section 28 of the Criminal Law Act 1977" substitute " section 32 of the Magistrates' Courts Act 1980 "

172 ^{F102}

Textual Amendments

F102 Sch. 7 para. 172 repealed by Consumer Protection Act 1987 (c. 43, SIF 109:1), ss. 41(2), 47(1)(2), 48(3), Sch. 5

173 ^{F103}

Status: Point in time view as at 06/04/2003.

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Textual Amendments

F103 Sch. 7 para. 173 repealed by S.I. 1984/703, (N.I. 3), art. 19(2), Sch. 7 and (also expressed to be repealed) by Consumer Protection Act 1987 (c.43, SIF 109:1), ss. 41(2), 47(1), 48(3), **Sch. 5**

Employment Protection (Consolidation) Act 1978 (c. 44)

174 **F104**

Textual Amendments

F104 Sch. 7 para. 174 repealed by Employment Act 1989 (c. 38, SIF 43:1), s. 29(4), **Sch. 7 Pt. II**

F105 175

Textual Amendments

F105 Sch. 7 para. 175 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt.I** (with ss. 191-195, 202)

Customs and Excise Management Act 1979 (c. 2)

176 In section 147(2) of the Customs and Excise Management Act 1979 for “section 25(3) of the Criminal Law Act 1977” substitute “ section 25(3) of the Magistrates’ Courts Act 1980 ”

177 In section 151 of the Customs and Excise Management Act 1979 for “section 114 of the Magistrates’ Courts Act 1952” substitute “ section 139 of the Magistrates’ Courts Act 1980 ”.

178 In section 171(2)(a) of the Customs and Excise Management Act 1979 for “section 28 of the Criminal Law Act 1977 (£1,000 or other sum substituted by order under section 61(1) of that Act)” substitute “ section 32 of the Magistrates’ Courts Act 1980 (£1,000 or other sum substituted by order under section 143(1) of that Act) ”.

Customs and Excise Duties (General Reliefs) Act 1979 (c. 3)

179 In section 15(3)(a) of the Customs and Excise (General Reliefs) Act 1979 for “section 28 of the Criminal Law Act 1977 (£1,000 or other sum substituted by order under section 61(1) of that Act)” substitute “ section 32 of the Magistrates’ Courts Act 1980 (£1,000 or other sum substituted by order under section 143 (1) of that Act) ”.

Alcoholic Liquor Duties Act 1979 (c. 4)

180 In section 49(1) of the Alcoholic Liquor Duties Act 1979 in the definition of “the prescribed sum”, for “section 28 of the Criminal Law Act 1977 (£1,000 or other sum substituted by order under section 61(1) of that Act)” substitute “ section 32 of the Magistrates’ Courts Act 1980 (£1,000 or other sum substituted by order under section 143(1) of that Act) ”.

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Hydrocarbon Oils Duties Act 1979 (c. 5)

- 181 In section 27(1) of the Hydrocarbon Oils Duties Act 1979 in the definition of “prescribed sum”, for “section 28 of the Criminal Law Act 1977 (£1,000 or other sum substituted by order under section 61(1) of that Act)” substitute “ section 32 of the Magistrates’ Courts Act 1980 (£1,000 or other sum substituted under section 143(1) of that Act) ”.

Agricultural Statistics Act 1979 (c. 13)

- 182 In section 6(1) of the Agricultural Statistics Act 1979, in the definition of “the prescribed sum”, for “section 28 of the Criminal Law Act 1977 (£1,000 or other sum substituted by order under section 6(1) of that Act)” substitute “ section 32 of the Magistrates’ Courts Act 1980 (£1,000 or other sum substituted by order under section 143(1) of that Act) ”.

Credit Unions Act 1979 (c. 34)

- F106 183

Textual Amendments

F106 Sch. 7 para. 183 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

- 184 F107

Textual Amendments

F107 Sch. 7 para. 184 repealed by Banking Act 1987 (c. 22, SIF 10), s. 108(2), Sch. 7 Pt. I

Estate Agents Act 1979 (c. 38)

- F108 185

Textual Amendments

F108 Sch. 7 para. 185 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

Merchant Shipping Act 1979 (c. 39)

- 186 In section 42(4) of the Merchant Shipping Act 1979 for “Section 18 of the Criminal Law Act 1977” substitute “ Section 127(2) of the Magistrates’ Courts Act 1980 ”.
- 187 In section 43(5) of the Merchant Shipping Act 1979 for “subsection (1) of section 61 of the Criminal Law Act 1977” substitute “ subsection (1) of section 143 of the Magistrates’ Courts Act 1980 ” and for “section 28 of that Act” substitute “ section 32 of that Act ”.

- 188 F109

Status: Point in time view as at 06/04/2003.

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Textual Amendments

F109 Sch. 7 para. 188 repealed by [Weights and Measures Act 1985 \(c. 72, SIF 131\)](#) ss. 96(1), 98(1), Sch. 11 para. 21(2), Sch. 13 Pt. I

189 **F110**

Textual Amendments

F110 Sch. 7 para. 189 repealed by [S.I. 1984/703 \(N.I. 3\)](#), art. 19(2), [Sch. 7](#) and also expressed to be repealed by [Weights and Measures Act 1985 \(c.72, SIF 131\)](#), ss. 96(1), 98(1), Sch. 11 para. 21(2), [Sch. 13 Pt. 1](#)

Ancient Monuments and Archeological Areas Act 1979 (c. 46)

F111 190

Textual Amendments

F111 Sch. 7 para. 190 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. XIV](#) Group2

Justices of the Peace Act 1979 (c. 55)

F112 191

Textual Amendments

F112 Sch. 7 paras. 191-197 repealed (19.6.1997) by [1997 c. 25, ss. 73\(3\), 74\(1\)](#), [Sch. 6 Pt.I](#) (with Sch. 4 para. 27)

F113 192

Textual Amendments

F113 Sch. 7 paras. 191-197 repealed (19.6.1997) by [1997 c. 25, ss. 73\(3\), 74\(1\)](#), [Sch. 6 Pt.I](#) (with Sch. 4 para. 27)

F114 193

Textual Amendments

F114 Sch. 7 paras. 191-197 repealed (19.6.1997) by [1997 c. 25, ss. 73\(3\), 74\(1\)](#), [Sch. 6 Pt.I](#) (with Sch. 4 para. 27)

F115 194

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F115 Sch. 7 paras. 191-197 repealed (19.6.1997) by 1997 c. 25, ss. 73(3), 74(1), **Sch. 6 Pt.I** (with Sch. 4 para. 27)

F116 195

Textual Amendments

F116 Sch. 7 paras. 191-197 repealed (19.6.1997) by 1997 c. 25, ss. 73(3), 74(1), **Sch. 6 Pt.I** (with Sch. 4 para. 27)

F117 196

Textual Amendments

F117 Sch. 7 paras. 191-197 repealed (19.6.1997) by 1997 c. 25, ss. 73(3), 74(1), **Sch. 6 Pt.I** (with Sch. 4 para. 27)

F118 197

Textual Amendments

F118 Sch. 7 paras. 191-197 repealed (19.6.1997) by 1997 c. 25, ss. 73(3), 74(1), **Sch. 6 Pt.I** (with Sch. 4 para. 27)

Isle of Man Act 1979 (c. 58)

- 198 In section 5 of the Isle of Man Act 1979—
- (a) in subsection (2)(a) for “section 77 of the Magistrates’ Courts Act 1952” substitute “ section 97 of the Magistrates’ Courts Act 1980 ” ;
 - (b) in subsection (3)(a) for “sections 2 and 9 of the Criminal Justice Act 1967” substitute “ section 9 of the Criminal Justice Act 1967 and section 102 of the Magistrates’ Courts Act 1980 ” and for “section 2” substitute “ section 102 ” .

F119

Textual Amendments

F119 Sch. 7 paras. 199, 200 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch. 15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F120 199

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F120 Sch. 7 para. 199 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

^{F121}200

Textual Amendments

F121 Sch. 7 para. 200 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Foster Children Act 1980 (c. 6)

^{F122}201

Textual Amendments

F122 Sch. 7 para. 201 repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (with Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

Residential Homes Act 1980 (c. 7)

202 In section 4(2) of the Residential Homes Act 1980 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

Reserve Forces Act 1980 (c. 9)

^{F123}203

Textual Amendments

F123 Sch. 7 para. 203 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group2

204 In paragraph 2(4) of Schedule 5 to the Reserve Forces Act 1980 for “the Magistrates’ Courts Act 1952” substitute “ the Magistrates’ Courts Act 1980 ”.

Protection of Trading Interests Act 1980 (c. 11)

^{F124}205

Textual Amendments

F124 Sch. 7 para. 205 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group2

Competition Act 1980 (c. 21)

^{F125}206

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Textual Amendments

F125 Sch. 7 para. 206 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

Companies Act 1980 (c. 22)

- 207 In section 87(1) of the Companies Act 1980, in the definition of “the statutory maximum”, for “section 28 of the Criminal Law Act 1977” substitute “ section 32 of the Magistrates’ Courts Act 1980 ” and for “section 61 of that Act” substitute “ section 143 of that Act. ”.

SCHEDULE 8

Section 154.

TRANSITIONAL PROVISIONS AND SAVINGS

Interpretation

- 1 In this Schedule references to the old enactments are to enactments repealed or amended by this Act and references to the appointed day are to the day on which this Act comes into force.

Proceedings commenced before appointed day

- 2 (1) Where proceedings were commenced before the appointed day, the old enactments relating to the proceedings continue to apply and nothing in this Act affects those enactments.
- (2) Without prejudice to the generality of sub-paragraph (1) above, the old enactments relating to proceedings which continue in force by virtue of it include any provision of those enactments which creates an offence, which relates to civil or criminal procedure, which relates to the punishment for an offence, or which relates to enforcing, appealing against, questioning, varying or rescinding anything ordered or done in the proceedings.

Offences committed before appointed day

- 3 (1) This paragraph applies where proceedings are commenced under this Act in relation to an offence committed before the appointed day.
- (2) Nothing in this Act renders a person liable to punishment by way of fine or imprisonment for the offence which differs from the punishment to which he would have been liable if this Act had not been passed and proceedings for the offence had been commenced under the old enactments.
- (3) Nothing in this Act renders a person liable to pay compensation under a compensation order in respect of the offence which differs from the compensation he would have been liable to pay if this Act had not been passed and proceedings for the offence had been commenced under the old enactments.
- (4) The provisions of this Act corresponding to the old enactments relating to punishment and compensation are to be construed accordingly.

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Other matters: general

- 4 Paragraphs 5 and 6 below have effect subject to paragraphs 2 and 3 above.
- 5 Without prejudice to any express amendment made by this Act, a reference in an enactment or other document, whether express or implied, to an enactment repealed by this Act shall, unless the context otherwise requires, be construed as, or as including, a reference to this Act or to the corresponding provision of this Act.
- 6 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of it had been in force when that period began to run.

Saving for transitionals in orders

- 7 (1) This paragraph applies where any provision of an old enactment—
- (a) was brought into force by order which made transitional provision in connection with the provision brought into force, or
 - (b) fell to be brought into force by order which could have made transitional provision in connection with the provision brought into force, if this Act had not been passed.
- (2) In that case, an order under section 155(7) of this Act may make corresponding transitional provision in connection with any provision of this Act corresponding to that of the old enactment.

Savings of amendments

- 8 Notwithstanding the repeal by this Act of the ^{M27}Magistrates' Courts Act 1952, the amendments made in other enactments ("the amended enactments") by that Act shall, to the extent that they had effect immediately before the coming into force of this Act, continue to have effect subject to any amendment of any of the amended enactments by this Act.

Marginal Citations

M27 1952 c. 55.

Savings for Local Government Act 1972

- 9 The provisions of this Act shall have effect without prejudice to the exercise of any power conferred by section 67 of the ^{M28}Local Government Act 1972 (consequential and transitional arrangements relating to Part IV), section 252 of that Act (general power to adapt Acts and instruments) or section 254 of that Act (consequential and supplementary provision); and any such power which, if this Act had not been passed, would have been exercisable in relation to an enactment repealed by this Act shall be exercisable in the like manner and to the like extent in relation to the corresponding provision (if any) of this Act.

Marginal Citations

M28 1972 c. 70.

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 08 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)

Scottish saving

- 10 (1) This paragraph applies to Schedule 7B to the ^{M29}Criminal Procedure (Scotland) Act 1975, which was inserted by paragraph 12 of Schedule 11 to the ^{M30}Criminal Law Act 1977 and takes the same form as Schedule 5 to that Act (subject to certain modifications specified in that paragraph).
- (2) Schedule 7B is not affected by—
- (a) the repeal by Schedule 9 to this Act of paragraph 1(2)(a) and (b) of Schedule 5;
 - (b) the amendments made to paragraph 1 of Schedule 5 by Schedule 7 to this Act.

Marginal Citations

M29 1975 c. 21.

M30 1977 c. 45.

^{X2}SCHEDULE 9

Section 154.

REPEALS

Editorial Information

X2 The text of Sch. 9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter.	Short title	Extent of repeal
12, 13 & 14 Geo. 6. c. 101.	Justices of the Peace Act 1949.	Section 15(1), (2), (3), (7), (8) and (9).
15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.	Magistrates' Courts Act 1952.	The whole Act.
5 & 6 Eliz. 2. c. 29.	Magistrates' Courts Act 1957.	The whole Act.
6 & 7 Eliz. 2. c. 39.	Maintenance Orders Act 1958.	Section 16.
7 & 8 Eliz. 2. c. 72.	Mental Health Act 1959.	Section 20(6). In Schedule 7, in Part I, the entry relating to the Magistrates' Courts Act 1952.
7 & 8 Eliz. 2. c. 73.	Legitimacy Act 1959.	Section 5(2).
9 & 10 Eliz. 2. c. 39.	Criminal Justice Act 1961.	In subsection 1(5) the words "and subsections (2) and (3) of section twenty-eight of

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		the Magistrates' Courts Act 1952".
		Section 8(3).
		In section 41(4), the words "section twenty-eight of the Magistrates' Courts Act 1952".
		In Schedule 4, the entries relating to sections 28 and 126 of the Magistrates' Courts Act 1952.
		In Schedule 6, the text of the Magistrates' Courts Act 1952, section 28.
1963 c. 37.	Children and Young Persons Act 1963.	Section 27.
1964 c. 42.	Administration of Justice Act 1964.	Section 11.
		In Schedule 3, paragraphs 20(2) and 22(3) and (5).
1965 c. 69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	In Schedule 2, in Part I, the entry relating to the Magistrates' Courts Act 1952.
1967 c. 80.	Criminal Justice Act 1967.	Sections 1 to 6.
		Section 19.
		In section 20, the words "or section 28 or 29 of the Magistrates' Courts Act 1952 (committal for sentence)".
		Section 24.
		Section 26.
		Sections 28 to 30.
		In section 33, the words from the beginning to "that section and".
		In section 36(1), the definitions of "broadcast" and "publish".
		Section 44, 44A and 45.
		In section 50, the words from the beginning to "Part of that Act".

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		Section 56(4).
		In section 89(1), the words “2 or”.
		In section 90(1) the words “an order under section 44(8) or”.
		Section 94.
		In section 106(2)(b), the figure “3”.
		In Schedule 6, paragraphs 9 to 13 and 17 to 20.
1968 c. 69.	Justices of the Peace Act 1968.	In Schedule 3, paragraph 8.
1969 c. 54.	Children and Young Persons Act 1969.	Section 6.
		Section 10(3).
		Section 61.
		In Schedule 4, paragraph 4.
1970 c. 31.	Administration of Justice Act 1970.	Section 12.
		In section 28(1), the definition of “the Act of 1952” and “magistrates’ court maintenance order”.
		Section 30(1) and (2) as respects section 12.
		Section 41(6).
		Section 42.
		Section 50.
		In section 51, subsection (1), and in subsection (3) the definition of “the Act of 1952”.
1971 c. 23.	Courts Act 1971.	Section 7(1).
		In Schedule 8, paragraph 34, in paragraph 48(b) in the words “56(4)(6)” the word “4”, and paragraph 52.
		In Schedule 9, in Part I, the entry relating to the Magistrates’ Courts Act 1952.

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1972 c. 18.	Maintenance Orders (Reciprocal Enforcement) Act 1972.	Section 22(2)(b).
1972 c. 70.	Local Government Act 1972.	In Schedule 27, paragraph 16.
1972 c. 71.	Criminal Justice Act 1972.	Section 41. Sections 44 and 45. Section 50. In Schedule 5, the entries relating to the Magistrates' Courts Act 1952 and the entry relating to section 691 of the Children and Young Persons Act 1969.
1973 c. 14.	Costs in Criminal Cases Act 1973.	In Schedule 1, paragraph 1.
1973 c. 29.	Guardianship Act 1973.	Section 9(2)(b).
1973 c. 38.	Social Security Act 1973.	In Schedule 27, in paragraph 85, the words "and 12(2)(b)" and "(in each place)".
1973 c. 62.	Powers of Criminal Courts Act 1973.	Section 35(5). In Schedule 5, paragraphs 4, 5, 7, 16 and 34.
1974 c. 4.	Legal Aid Act 1974.	In Schedule 4, paragraph 3.
1975 c. 21.	Criminal Procedure (Scotland) Act 1975.	Section 326(2). In section 463(1)(b), the words "Section 326(2)".
1976 c. 63.	Bail Act 1976.	In Schedule 2, paragraphs 14 to 29 and 35.
1977 c. 45.	Criminal Law Act 1977.	Section 14. In section 15, in subsection (1), paragraph (b) and the word "and" immediately preceding it, and in subsection (3) paragraph (a). Section 16. Sections 18 to 27. In section 28, subsections (1) to (7) and in subsection (8) the words from "and

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subsection (2) above” to the end.

Section 29.

Section 30(4).

Section 32(2).

Sections 34 and 35.

In section 36, subsections (2) to (8) and in subsection (9) the definitions of “guardian” and “the statutory restrictions upon the imprisonment of young offenders”.

Sections 41 and 42.

Section 45.

In section 58, subsections (1), (4) and (6).

Sections 59 to 61.

In section 63(2), in the entry relating to section 65(4) and Schedule 12 so far as they relate to the Criminal Justice Act 1967, the words “3 and”.

In section 65(10)(e) the words from “and the provisions” to “all such places (except Scotland)”.

Schedule 2.

Schedule 3.

Schedule 4.

In Schedule 5, paragraph 1(2) (a) and (b).

In Schedule 7, paragraph 1.

Schedule 8.

In Schedule 12, the entries relating to the Magistrates' Courts Act 1952, the entries relating to sections 3, 24, 44(5) and 44A of the Criminal Justice Act 1967, and paragraphs 2 and 3 of the entries relating to the Criminal Justice Act 1972.

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1978 c. 22.	Domestic Proceedings and Magistrates' Courts Act 1978.	In Schedule 14, paragraph 2, in paragraph 3(1) the words "or 2", paragraph 4, and in paragraph 5 the words "(other than section 29 or any provision mentioned in paragraph 4 above)". Sections 75 to 85.
1978 c. 37.	Protection of Children Act 1978.	In Schedule 1, in paragraph 5 the words "or in any of sections 79 to 82", paragraph 6 and paragraph 7. In Schedule 2, paragraphs 15 and 21.
1979 c. 55.	Justices of the Peace Act 1979.	Section 2(2).
1980 c. 5.	Child Care Act 1980.	In Schedule 5, paragraph 5.
1980 c. 11.	Protection of Trading Interests Act 1980.	In section 8(5), the words from "together with" to the end.

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