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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.

[<sup>F1</sup>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 <sup>M1</sup>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 <sup>M2</sup>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 <sup>M3</sup>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 <sup>M4</sup>Person Act 1861—

- (a) section 16 (threats to kill);
- (b) section 20 (inflicting bodily injury, with or without a weapon);
- (c) section 26 (not providing apprentices or servants with food etc.);
- (d) section 27 (abandoning or exposing child);

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- (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. . . <sup>F2</sup>);
- (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**F2** Words repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(2), Sch. 8 para. 16, **Sch. 16**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 <sup>M5</sup>Telegraph Act 1868 (disclosing or intercepting messages).

**Marginal Citations**

**M5** [1868 c. 110.](#)

7 Offences under section 13 of the <sup>M6</sup>Debtors Act 1869 (transactions intended to defraud creditors).

**Marginal Citations**

**M6** [1869 c. 62.](#)

8 Offences under section 5 of the <sup>M7</sup>Public Stores Act 1875 (obliteration of marks with intent to conceal).

**Marginal Citations**

**M7** [1875 c. 25.](#)

9 Offences under section 12 of the <sup>M8</sup>Corn Returns Act 1882 (false returns).

**Marginal Citations**

**M8** [1882 c. 37.](#)

10 ..... <sup>F3</sup>

**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**

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11 Offences under section 3 of the <sup>M9</sup>Submarine Telegraph Act 1885 (damaging submarine cables).

**Marginal Citations**

**M9** 1885 c. 49.

12 Offences under section 13 of the <sup>M10</sup>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 <sup>M11</sup>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 <sup>M12</sup>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 <sup>M13</sup>Deeds of Arrangement Act 1914 (trustee making preferential payments).

**Marginal Citations**

**M13** 1914 c. 47.

17 ..... **F5**

**Textual Amendments**

**F5** Sch. 1 para. 17 repealed by Wages Act 1986 (c. 48, SIF 43:2), s. 32(2), **Sch. 5 Pt.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

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18 Offences under section 8(2) of the <sup>M14</sup>Census Act 1920 (disclosing census information).

**Marginal Citations**  
**M14** 1920 c. 41.

19 Offences under section 36 of the <sup>M15</sup>Criminal Justice Act 1925 (forgery of passports etc.).

**Marginal Citations**  
**M15** 1925 c. 86.

20 Offences under section 11 of the <sup>M16</sup>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**

<sup>F7</sup>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 <sup>F8</sup> .....

**Textual Amendments**  
**F8** Sch. 1 para. 23 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, **Sch. 7**; S.I. 2004/874, **art. 2**

24 ..... **F9**

**Textual Amendments**  
**F9** Sch. 1 para. 21, 24 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

25 ..... **F10**

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#### Textual Amendments

**F10** 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 <sup>M17</sup>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

**M17** [1967 c. 58](#).

- 27 <sup>F11</sup> .....

#### Textual Amendments

**F11** Sch. 1 para. 27 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), ss. 140, 141, [Sch. 7](#); S.I. 2004/874, [art. 2](#)

- 28 All indictable offences under the <sup>M18</sup>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

**M18** [1968 c. 60](#).

- 29 Offences under the following provisions of the <sup>M19</sup>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).

#### Marginal Citations

**M19** [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.

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32            F12            .....

**Textual Amendments**

**F12** Sch. 1 para. 32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 7; S.I. 2004/874, art. 2

33            Aiding, abetting, counselling or procuring the commission of any offence listed in the preceding paragraphs of this Schedule except paragraph 26.

34            ..... F13

**Textual Amendments**

**F13** 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. . . F14 above.

**Textual Amendments**

**F14** 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—<br><br>(i) what would probably then have been the market price for the repair of the damage, or<br><br>(ii) what the property alleged to have been damaged would probably have cost to buy |

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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. | in the open market at the material time,<br>whichever is the less; or<br>(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.<br>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)

|  |  |   |
|--|--|---|
| [ <sup>F153</sup> 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.<br><br>(2) In the case of damage to the vehicle involved in the offence —<br><br>(a) if immediately after the vehicle was recovered the damage was capable of repair— |
|--|--|---|

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(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

**F15** [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\(b\)](#)
- 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)



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- 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)**
- 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)**

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- 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—
  - [<sup>F16</sup>(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

- F16** 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.
- (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.

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(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.

F175 .....

**Textual Amendments**

F17 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 <sup>M20</sup>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**

M20 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 respectively to the amounts set out opposite thereto, being amounts due at the time the imprisonment [<sup>F18</sup>or detention] is imposed.

TABLE

|  |                          |
|--|--------------------------|
| [ <sup>F19</sup> An amount not exceeding £200] | [ <sup>F19</sup> 7 days] |
|--|--------------------------|

*Status: Point in time view as at 03/04/2006.*

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|  |                            |
|--|----------------------------|
| [ <sup>F19</sup> An amount exceeding £200 but not exceeding £500]      | [ <sup>F19</sup> 14 days]  |
| [ <sup>F19</sup> An amount exceeding £500 but not exceeding £1,000]    | [ <sup>F19</sup> 28 days]  |
| [ <sup>F19</sup> An amount exceeding £1,000 but not exceeding £2,500]  | [ <sup>F19</sup> 45 days]  |
| [ <sup>F19</sup> An amount exceeding £2,500 but not exceeding £5,000]  | [ <sup>F19</sup> 3 months] |
| [ <sup>F20</sup> An amount exceeding £5,000 but not exceeding £10,000] | [6 months]                 |
| An amount exceeding [ <sup>F21</sup> £10,000]                          | 12 months                  |

#### Textual Amendments

- F18** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 59**
- F19** 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**
- F20** Words substituted by [Criminal Justice Act 1988 \(c.33, SIF 39:1\)](#), ss. 60(1), 123(6), **Sch.8 para. 16**
- F21** Sum substituted by [S.I. 1984/447](#), art. 2(2), **Sch. 3**

- 2 (1) Where the amount due at the time imprisonment [<sup>F22</sup>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 [<sup>F23</sup>seven days].

#### Textual Amendments

- F22** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 59**
- F23** 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.

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## [<sup>F24</sup>SCHEDULE 4A

Section 125BA

### POWERS OF AUTHORISED OFFICERS EXECUTING WARRANTS

#### Textual Amendments

**F24** 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

#### *Meaning of “authorised officer” etc*

- 1 In this Schedule—
- “authorised officer”, in relation to a warrant, means a person who is entitled to execute the warrant by virtue of—
- (a) section 125A of this Act (civilian enforcement officers); or
  - (b) section 125B of this Act (approved enforcement agencies);
- “premises” includes any place and, in particular, includes—
- (a) any vehicle, vessel, aircraft or hovercraft;
  - (b) any offshore installation within the meaning of the Mineral Workings (Offshore Installations) Act 1971; and
  - (c) any tent or movable structure.

#### *Entry to execute warrant of arrest etc*

- 2 (1) An authorised officer may enter and search any premises for the purpose of executing a warrant of arrest, commitment or detention issued in proceedings for or in connection with any criminal offence.
- (2) The power may be exercised—
- (a) only to the extent that it is reasonably required for that purpose; and
  - (b) only if the officer has reasonable grounds for believing that the person whom he is seeking is on the premises.
- (3) In relation to premises consisting of two or more separate dwellings, the power is limited to entering and searching—
- (a) any parts of the premises which the occupiers of any dwelling comprised in the premises use in common with the occupiers of any other such dwelling; and
  - (b) any such dwelling in which the officer has reasonable grounds for believing that the person whom he is seeking may be.

#### *Entry to levy distress*

- 3 (1) An authorised officer may enter and search any premises for the purpose of executing a warrant of distress issued under section 76 of this Act for default in paying a sum adjudged to be paid by a conviction.
- (2) The power may be exercised only to the extent that it is reasonably required for that purpose.

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### *Searching arrested persons*

- 4 (1) This paragraph applies where a person is arrested in pursuance of a warrant of arrest, commitment or detention issued in proceedings for or in connection with any criminal offence.
- (2) An authorised officer may search the arrested person, if he has reasonable grounds for believing that the arrested person may present a danger to himself or others.
- (3) An authorised officer may also search the arrested person for anything which he might use to assist him to escape from lawful custody.
- (4) The power conferred by sub-paragraph (3) above may be exercised—
- (a) only if the officer has reasonable grounds for believing that the arrested person may have concealed on him anything of a kind mentioned in that sub-paragraph; and
  - (b) only to the extent that it is reasonably required for the purpose of discovering any such thing.
- (5) The powers conferred by this paragraph to search a person are not to be read as authorising the officer to require a person to remove any of his clothing in public other than an outer coat, a jacket or gloves; but they do authorise the search of a person's mouth.
- (6) An officer searching a person under sub-paragraph (2) above may seize and retain anything he finds, if the officer has reasonable grounds for believing that the person searched might use it to cause physical injury to himself or to any other person.
- (7) An officer searching a person under sub-paragraph (3) above may seize and retain anything he finds, if he has reasonable grounds for believing that the person might use it to assist him to escape from lawful custody.

### *Use of force*

- 5 An authorised officer may use reasonable force, if necessary, in the exercise of a power conferred on him by this Schedule.]

## 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 [<sup>F25</sup>the terms of the order or remand to the court before which the accused is to be brought for the

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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**

**F25** 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.

<sup>F26</sup>~~F26~~SCHEDULE 6

**Textual Amendments**

**F26** [Sch. 6](#) repealed (10.1.2006) by [Courts Act 2003 \(c. 39\)](#), ss. 109(1)(3), 110, [Sch. 8 para. 254](#), [Sch. 10](#); [S.I. 2005/3518](#), [art. 2\(a\)\(b\)](#) (with saving in [art. 4](#))

[<sup>F44</sup>SCHEDULE 6A

FINES THAT MAY BE ALTERED UNDER SECTION 143

**Textual Amendments**

**F44** [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                        |
|--|-------------------------------------|
| <sup>F45</sup> . . .   | <sup>F45</sup> <sup>F45</sup> . . . |
| ATTACHMENT OF EARNINGS ACT 1971<br>(c.32) Section 23(3) (judge's fine)   | £250                                |
| <sup>F45</sup> . . .   | <sup>F45</sup> . . .                |
| MAGISTRATES' COURTS ACT 1980<br>(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<br>(c.49) Section 12(2) (contempt in face of magistrates' court) Section 14(2) (contempt in an inferior court)                  | £2,500 £2,500                       |

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### Textual Amendments

**F45** 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  |
|---|---------------|
| F45 . . .   | F45 . . .     |
| COUNTY COURTS ACT 1984 (c.28)<br>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        |
| F45 . . .   | F45 . . .]    |
| <b>[<sup>F46</sup>POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000</b>   |               |
| F47 . . .   | F47 . . .     |
| 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

**F46** Entry in Sch. 6A inserted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 9 para. 80(2)

**F47** Sch. 6A: words repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 332, 336, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(f) (subject to art. 2(2) and Sch. 2)

## 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



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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)*

F48 1 .....

**Textual Amendments**

F48 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)*

[F492 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**

F49 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)

*Gun Barrel Proof Act 1868 (c. cxiii)*

F50 3 .....

**Textual Amendments**

F50 Sch. 7 para. 3 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

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

4 ..... F51

**Textual Amendments**

F51 Sch. 7 para. 4 repealed by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), Sch. 7 Pt. V

5 F52 .....

**Textual Amendments**

F52 Sch. 7 para. 5 repealed (1.9.2004) by Courts Act 2003 (c. 39), ss. 109(3), 110, Sch. 10; S.I. 2004/2066, art. 2(d)(iv) (subject to art. 3)

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*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)*

F53g .....

**Textual Amendments**

**F53** Sch. 7 para. 9 repealed (6.1.1997) by S.I. 1996/3097, art. 3(1)(c)

*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. .... F54

**Textual Amendments**

**F54** Sch. 7 paras. 14, 15 repealed by Food Act 1984 (c. 30, SIF 53:1), s. 134, Sch. 11

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*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 F55 .....

**Textual Amendments**

**F55** Sch. 7 para. 18 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), ss. 139, 140, 141, Sch. 6 para. 26(3), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

19 ..... F56

**Textual Amendments**

**F56** 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 ..... F57

**Textual Amendments**

**F57** 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—

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- (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)*

<sup>F58</sup>27 .....

**Textual Amendments**  
**F58** 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 ..... <sup>F59</sup>

**Textual Amendments**  
**F59** Sch. 7 para. 28 repealed by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), **Sch. 4**

29 ..... <sup>F60</sup>

**Textual Amendments**  
**F60** 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. .... <sup>F61</sup>

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**Textual Amendments**

**F61** Sch. 7 paras. 31, 32 repealed by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s, 148(3), Sch. 6

33, 34. . . . . **F62**

**Textual Amendments**

**F62** 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)*

**F63**35 . . . . .

**Textual Amendments**

**F63** 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 “ 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)*

**F64**37 . . . . .

**Textual Amendments**

**F64** Sch. 7 para. 37 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. XIV](#) Group3

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

38—42. . . . . **F65**

**Textual Amendments**

**F65** 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 ”.

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- 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 F66 .....

**Textual Amendments**  
**F66** Sch. 7 paras. 45-48, 50 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

46 F67 .....

**Textual Amendments**  
**F67** Sch. 7 paras. 45-48, 50 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

47 F68 .....

**Textual Amendments**  
**F68** Sch. 7 paras. 45-48, 50 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

48 F69 .....

**Textual Amendments**  
**F69** Sch. 7 paras. 45-48, 50 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

49 ..... F70

**Textual Amendments**  
**F70** Sch. 7 para. 49 repealed by Licensing Act 1988 (c. 17, SIF 68A), s. 19(2), Sch. 4

50 F71 .....

**Textual Amendments**  
**F71** Sch. 7 paras. 45-48, 50 repealed (24.11.2005) by Licensing Act 2003 (c. 17), ss. 199, 201, Sch. 7 (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)

*Status: Point in time view as at 03/04/2006.*

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*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 ..... F72

**Textual Amendments**

F72 Sch. 7 para. 52 repealed by S.I. 1981/1675, (N.I. 26), art. 170(3), Sch. 7

*Finance Act 1965 (c. 25)*

F73 53 .....

**Textual Amendments**

F73 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)*

F74 55 .....

**Textual Amendments**

F74 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)

*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. .... F75

**Textual Amendments**

F75 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)

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*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)*

- [<sup>F76</sup>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**

- F76** 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)

- [<sup>F77</sup>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**

- F77** 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)

- <sup>F78</sup>65 .....

**Textual Amendments**

- F78** 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 ”.

- <sup>F79</sup>67 .....

**Textual Amendments**

- F79** 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 ”.



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- 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”;
  - (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)*

F8075 .....

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**Textual Amendments**

**F80** 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)*

<sup>F81</sup>78 .....

**Textual Amendments**

**F81** 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 ..... <sup>F82</sup>

**Textual Amendments**

**F82** 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 ”.

<sup>F83</sup>81 .....

**Textual Amendments**

**F83** 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)

<sup>F84</sup>82 .....

**Textual Amendments**

**F84** 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)

<sup>F85</sup>83 .....

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**Textual Amendments**

**F85** 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 ..... **F86**

**Textual Amendments**

**F86** Sch. 7 paras. 38–42, 79 and 84 repealed by Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 78, Sch. 16

**F87**85 .....

**Textual Amendments**

**F87** 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 ”.

*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)*

**F88**91 .....

**Textual Amendments**

**F88** 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)

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F89<sup>92</sup> .....

**Textual Amendments**

**F89** 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)*

F90<sup>93</sup> .....

**Textual Amendments**

**F90** 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 ” ;

F91<sup>(b)</sup> .....

**Textual Amendments**

**F91** 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—

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- (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) <sup>F92</sup> .....
- (b) in subsection (6) for “Part III of the Magistrates’ Courts Act 1952” substitute “ Part III of the Magistrates’ Courts Act 1980 ”.

**Textual Amendments**

**F92** Sch. 7 para. 101(a) repealed (1.9.2004) by Courts Act 2003 (c. 39), ss. 109(3), 110, Sch. 10; S.I. 2004/2066, art. 2(d)(iv) (subject to art. 3)

*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 ”.

106 <sup>F93</sup> .....

**Textual Amendments**

**F93** Sch. 7 para. 106 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, Sch. 10; S.I. 2005/910, art. 3(aa)

107 <sup>F94</sup> .....

**Textual Amendments**

**F94** Sch. 7 para. 107 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, Sch. 10; S.I. 2005/910, art. 3(aa)

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<sup>F95</sup>108 .....

**Textual Amendments**

**F95** 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 ”.

[<sup>F96</sup>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**

**F96** 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. .... <sup>F97</sup>

**Textual Amendments**

**F97** 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 <sup>F98</sup> .....

**Textual Amendments**

**F98** Sch. 7 para. 113 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910, **art. 3(aa)**

*Criminal Justice Act 1972 (c. 71)*

114 In section 46 of the Criminal Justice Act 1972—

- (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

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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)*

F99 116 .....

**Textual Amendments**

F99 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)

F100 117 .....

**Textual Amendments**

F100 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)*

F101 119 .....

**Textual Amendments**

F101 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)

F102 120 .....

**Textual Amendments**

F102 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)

F103 121 .....

**Textual Amendments**

F103 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)

F104 122 .....

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**Textual Amendments**

**F104** 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)

**F105** 123 .....

**Textual Amendments**

**F105** 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— ..... **F106**  
129.

**Textual Amendments**

**F106** 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 **F107** .....

**Textual Amendments**

**F107** Sch. 7 para. 131 repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910, art. 3(aa)

*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 ”.

*Insurance Companies Act 1974 (c. 49)*

133 ..... **F108**



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**Textual Amendments**

**F108** 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)*

- <sup>F109</sup>135 .....

**Textual Amendments**

**F109** 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)*

- [<sup>F110</sup>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**

**F110** 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)

*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 ”.

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*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 F111 .....

**Textual Amendments**

**F111** Sch. 7 para. 141 omitted (1.9.2004) by virtue of [The Courts Act 2003 \(Consequential Amendments\) Order 2004 \(S.I. 2004/2035\)](#), art. 3, **Sch. para. 10** (with art. 2(2)) and expressed to be repealed (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), ss. 139, 148, Sch. 5 (with Sch. 4 paras. 6-8); S.I. 2005/2897, art. 2

142 F112 .....

**Textual Amendments**

**F112** Sch. 7 para. 142 omitted (1.9.2004) by virtue of [The Courts Act 2003 \(Consequential Amendments\) Order 2004 \(S.I. 2004/2035\)](#), art. 3, **Sch. para. 10** (with art. 2(2)) and expressed to be repealed (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), ss. 139, 148, Sch. 5 (with Sch. 4 paras. 6-8); S.I. 2005/2897, art. 2

*Bail Act 1976 (c. 63)*

F113 143 .....

**Textual Amendments**

**F113** 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)

F114 144 .....

**Textual Amendments**

**F114** 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”.

F115 146 .....

**Textual Amendments**

**F115** 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)

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*Land Drainage Act 1976 (c.70)*

F116 147 .....

**Textual Amendments**

F116 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)*

[F117 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**

F117 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 F118 .....

**Textual Amendments**

F118 Sch. 7 para. 151 repealed (1.9.2004) by [Courts Act 2003](#) (c. 39), ss. 109(3), 110, [Sch. 10](#); [S.I. 2004/2066](#), [art. 2\(d\)\(iv\)](#) (subject to [art. 3](#))

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) ”.

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—

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- (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 ..... F119

**Textual Amendments**  
**F119** 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)*

F120 157 .....

**Textual Amendments**  
**F120** 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)**

F121 158 .....

**Textual Amendments**  
**F121** 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”.

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**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.

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 ".

F122 165 .....

**Textual Amendments**

**F122** 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)

F123 166 .....

**Textual Amendments**

**F123** 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 ".

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

F124 168 .....

**Textual Amendments**

**F124** 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 ..... F125

**Textual Amendments**

**F125** 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 ..... F126

**Textual Amendments**

**F126** 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 ..... F127

*Status: Point in time view as at 03/04/2006.*

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**Textual Amendments**

**F127** Sch. 7 para. 174 repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(4), **Sch. 7 Pt. II**

**F128** 175 .....

**Textual Amendments**

**F128** 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) ”.

*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) ”.

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*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)*

- F129 183 .....

**Textual Amendments**

F129 Sch. 7 para. 183 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group2

- 184 ..... F130

**Textual Amendments**

F130 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)*

- F131 185 .....

**Textual Amendments**

F131 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 ..... F132

**Textual Amendments**

F132 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 ..... F133



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**Textual Amendments**

**F133** 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)*

**F134** 190 .....

**Textual Amendments**

**F134** 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)*

**F135** 191 .....

**Textual Amendments**

**F135** 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)

**F136** 192 .....

**Textual Amendments**

**F136** 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)

**F137** 193 .....

**Textual Amendments**

**F137** 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)

**F138** 194 .....

**Textual Amendments**

**F138** 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)

**F139** 195 .....

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**Textual Amendments**

**F139** 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)

<sup>F140</sup>196 .....

**Textual Amendments**

**F140** 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)

<sup>F141</sup>197 .....

**Textual Amendments**

**F141** 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 ”.

<sup>F142</sup> .....

**Textual Amendments**

**F142** 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)**

<sup>F143</sup>199 .....

**Textual Amendments**

**F143** 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)**

<sup>F144</sup>200 .....

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**Textual Amendments**

**F144** 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)*

**F145**201 .....

**Textual Amendments**

**F145** 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)*

**F146**203 .....

**Textual Amendments**

**F146** 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)*

**F147**205 .....

**Textual Amendments**

**F147** 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)*

**F148**206 .....

**Textual Amendments**

**F148** Sch. 7 para. 206 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group2

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*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.

*Other matters: general*

- 4 Paragraphs 5 and 6 below have effect subject to paragraphs 2 and 3 above.

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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 <sup>M24</sup>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**

**M24** 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 <sup>M25</sup>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**

**M25** 1972 c. 70.

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*Scottish saving*

- 10 (1) This paragraph applies to Schedule 7B to the <sup>M26</sup>Criminal Procedure (Scotland) Act 1975, which was inserted by paragraph 12 of Schedule 11 to the <sup>M27</sup>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**

**M26** 1975 c. 21.

**M27** 1977 c. 45.

<sup>X2</sup>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.

| <b>Chapter.</b>                    | <b>Short title</b>              | <b>Extent of repeal</b>   |
|------------------------------------|---------------------------------|---|
| 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).<br>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.<br>Section 19.<br>In section 20, the words "or section 28 or 29 of the Magistrates' Courts Act 1952 (committal for sentence)".<br>Section 24.<br>Section 26.<br>Sections 28 to 30.<br>In section 33, the words from the beginning to "that section and".<br>In section 36(1), the definitions of "broadcast" and "publish".<br>Section 44, 44A and 45.<br>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<br>(Reciprocal Enforcement)<br>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.<br>Sections 44 and 45.<br>Section 50.<br>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).<br>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<br>(Scotland) Act 1975.                  | Section 326(2).<br>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.<br>In section 15, in subsection (1), paragraph (b) and the word "and" immediately preceding it, and in subsection (3) paragraph (a).<br>Section 16.<br>Sections 18 to 27.<br>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)".<br>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.<br>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 2, paragraphs 7 to 9 and paragraph 14.  |
| 1980 c. 11. | Protection of Trading Interests Act 1980.              | In Schedule 5, paragraph 5.<br>In section 8(5), the words from "together with" to the end.  |

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