

Status: Point in time view as at 05/11/2012.

Changes to legislation: *Criminal Justice Act 1988, Cross Heading: Magistrates' Courts Act 1980 (c. 43) is up to date with all changes known to be in force on or before 30 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

SCHEDULE 15

MINOR AND CONSEQUENTIAL AMENDMENTS

Magistrates' Courts Act 1980 (c. 43)

65 The Magistrates' Courts Act 1980 shall be amended as follows.

^{F1}66

Textual Amendments

F1 Sch. 15 para. 66 repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 4**; [S.I. 2012/1320](#), art. 4(1)(d)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), art. 4(2) and [S.I. 2013/1103](#), art. 4); [S.I. 2012/2574](#), art. 2(2)(3)(d), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) (with [S.I. 2013/1103](#), art. 4); [S.I. 2013/1103](#), art. 2(1)(d)

67 In subsection (1) of section 37 (committal to Crown Court for sentence), for the words "nor more than 16" there shall be substituted the words "but under 17".

[^{F2}68 At the end of subsection (8) of section 102 (written statement before examining justices) there shall be added the words "and section 40 of the Criminal Justice Act 1988 (power to join in indictment count for common assault etc.) shall be given a corresponding construction".]

Textual Amendments

F2 [Sch. 15, para. 68](#) repealed (4.7.1996 with effect as mentioned in the note at the end of Sch. 5 para. 10 of the repealing Act) by [1996 c. 25](#), ss. 47, 80, [Sch. 1](#), **Sch. 5 para.10** (with s. 78(1)); [S.I. 1997/683](#), **art. 1(2)**.

69 (1) In subsection (3A) of section 128 (remand in custody without accused being brought before court)—

(a) after the word "custody" there shall be inserted the words "and the remand was not a remand under section 128A below for a period exceeding 8 clear days,"; and

(b) after the word "him" there shall be inserted the words "(otherwise than in the exercise of the power conferred by that section)".

(2) In subsection (6) of that section (which lists the cases in which a magistrates' court may remand a person for a period exceeding 8 clear days) for the word "section", in the first place where it occurs, there shall be substituted the words "sections 128A and".

Status: Point in time view as at 05/11/2012.

Changes to legislation: *Criminal Justice Act 1988, Cross Heading: Magistrates' Courts Act 1980 (c. 43) is up to date with all changes known to be in force on or before 30 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

70 The following subsection shall be inserted after subsection (2) of section 133 (limit on length of imprisonment or youth custody where consecutive terms are imposed)

—
“(2A) In relation to the imposition of terms of detention in a young offender institution subsection (2) above shall have effect as if the reference to an offence triable either way were a reference to such an offence or an offence triable only on indictment.”.

Status:

Point in time view as at 05/11/2012.

Changes to legislation:

Criminal Justice Act 1988, Cross Heading: Magistrates' Courts Act 1980 (c. 43) is up to date with all changes known to be in force on or before 30 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.