



# Magistrates' Courts (Appeals From Binding Over Orders) Act 1956

1956 CHAPTER 44 4 and 5 Eliz 2

An Act to amend the law relating to orders of justices of the peace requiring persons to enter into recognisances to keep the peace or be of good behaviour. [5th July 1956]

## 1 Right of appeal to quarter sessions.

- (1) Where, under the Justices of the Peace Act 1361 <sup>M1</sup>, or otherwise, a person is ordered by a magistrates' court (as defined in [<sup>F1</sup>the Magistrates' Courts Act 1980]) to enter into a recognisance with or without sureties to keep the peace or to be of good behaviour, he may appeal to [<sup>F2</sup>the Crown Court]
- (2) In the case of an appeal under this section—
  - (a) the other party to the proceedings which were the occasion of the making of the order shall be the respondent to the appeal;
  - (b) . . . . . <sup>F3</sup> in relation to an appellant in custody for failure to comply with the order, so much of section [<sup>F4</sup>twenty-two of the <sup>M2</sup>Criminal Justice Act 1967], as relates to the release of convicted persons from custody pending an appeal to [<sup>F2</sup>the Crown Court] shall, with the necessary adaptations, apply as if the appeal were an appeal against a conviction.
- (3) Nothing in this section shall apply in relation to any order an appeal from which lies to [<sup>F2</sup>the Crown Court] apart from the provisions of this section.
- (4) This section shall not apply to any order made before the expiration of a period of one month beginning with the date of the passing of this Act.

### Textual Amendments

- F1** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(1), Sch. 7 para.16
- F2** Words substituted by virtue of [Courts Act 1971 \(c. 23\)](#), s. 56(2), [Sch. 9 Pt. I](#)
- F3** Words repealed by [Criminal Justice Act 1967 \(c. 80\)](#), [Sch. 7 Pt. I](#)
- F4** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), [s. 17\(2\)\(a\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Magistrates' Courts (Appeals From Binding Over Orders) Act 1956. (See end of Document for details)

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**Marginal Citations**

**M1** 34 Edw. 3. c. 1.

**M2** 1967 c. 80.

**2 Short title and extent.**

- (1) This Act may be cited as the Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.
- (2) This Act shall not extend to Scotland or Northern Ireland.

**Changes to legislation:**

There are currently no known outstanding effects for the Magistrates' Courts (Appeals From Binding Over Orders) Act 1956.