

Status: Point in time view as at 28/04/2022.

Changes to legislation: There are currently no known outstanding effects for the Interpretation Act 1978, Cross Heading: Construction of certain expressions relating to offences. (See end of Document for details)

SCHEDULES

SCHEDULE 1

WORDS AND EXPRESSIONS DEFINED

Modifications etc. (not altering text)

- C1** Sch. 1 excluded in part (6.4.2003 with effect in accordance with s. 723(1) of the excluding Act) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\), s. 721\(6\)\(b\)](#) (subject to [Sch. 7](#))

Construction of certain expressions relating to offences

In relation to England and Wales—

- (a) “indictable offence” means an offence which, if committed by an adult, is triable on indictment, whether it is exclusively so triable or triable either way;
- (b) “summary offence” means an offence which, if committed by an adult, is triable only summarily;
- (c) “offence triable either way” means an offence [^{F1}, other than an offence triable on indictment only by virtue of Part V of the Criminal Justice Act 1988] which, if committed by an adult, is triable either on indictment or summarily;

and the terms “indictable”, “summary” and “triable either way”, in their application to offences, are to be construed accordingly.

Textual Amendments

- F1** Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\), ss. 123\(6\), 170, Sch. 8 para. 16, Sch. 15 para. 59](#)

In the above definitions references to the way or ways in which an offence is triable are to be construed without regard to the effect, if any, of [^{F2}section 22 of the Magistrates’ Courts Act 1980] on the mode of trial in a particular case.

Textual Amendments

- F2** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\), s. 154, Sch. 7 para. 169\(c\)](#)

[^{F3}In relation to a term of imprisonment in respect of an offence triable either way under the law of England and Wales, “general limit in a magistrates’ court” means the limit laid down in respect of the offence by section 224(1) of the Sentencing Code (as it has effect from time to time).]

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F3 Words in [Sch. 1](#) inserted (28.4.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), **ss. 13(3)**, 51(1)

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