
Status: Point in time view as at 01/01/1996.

Changes to legislation: Magistrates' Courts Act 1980, SCHEDULE 2 is up to date with all changes known to be in force on or before 15 June 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 2

Section 22.

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

Offence	Value involved	How measured
1. Offences under section 1 of the Criminal Damage Act 1971 (destroying or damaging property), excluding any offence committed by destroying or damaging property by fire.	As regards property alleged to have been destroyed, its value.	What the property would probably have cost to buy in the open market at the material time.
	As regards property alleged to have been damaged, the value of the alleged damage.	(a) If immediately after the material time the damage was capable of repair— (i) what would probably then have been the market price for the repair of the damage, or (ii) what the property alleged to have been damaged would probably have cost to buy in the open market at the material time, whichever is the less; or (b) if immediately after the material time the damage was beyond repair, what the said property would probably have cost to buy in the open market at the material time.
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.	As for the corresponding entry in paragraph 1 above.
(a) aiding, abetting, counselling or procuring the commission of any offence		

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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)

[^{F13} 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.

(2) In the case of damage to the vehicle involved in the offence —

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

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

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

whichever is the less; or

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

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Textual Amendments

- F1** [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](#)

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