



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART I

CRIMINAL JURISDICTION AND PROCEDURE

Summary trial of information

11 Non-appearance of accused: general provisions.

- (1) Subject to the provisions of this Act, where at the time and place appointed for the trial or adjourned trial of an information the prosecutor appears but the accused does not, the court may proceed in his absence.
- (2) Where a summons has been issued, the court shall not begin to try the information in the absence of the accused unless either it is proved to the satisfaction of the court, on oath or in such other manner as may be prescribed, that the summons was served on the accused within what appears to the court to be a reasonable time before the trial or adjourned trial or the accused has appeared on a previous occasion to answer to the information.
- (3) A magistrates' court shall not in a person's absence sentence him to imprisonment or detention in a detention centre or make an order under section 23 of the ^{M1}Powers of Criminal Courts Act 1973 that a suspended sentence passed on him shall take effect.
- (4) A magistrates' court shall not in a person's absence impose any disqualification on him, except on resumption of the hearing after an adjournment under section 10(3) above; and where a trial is adjourned in pursuance of this subsection the notice required by section 10(2) above shall include notice of the reason for the adjournment.

Marginal Citations

M1 1973 c. 62.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

Magistrates' Courts Act 1980, Section 11 is up to date with all changes known to be in force on or before 23 May 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.