



# Magistrates' Courts Act 1980

## 1980 CHAPTER 43

### PART I

#### CRIMINAL JURISDICTION AND PROCEDURE

##### *Summary trial of information*

#### **14 Proceedings invalid where accused did not know of them.**

- (1) Where a summons has been issued under section 1 above and a magistrates' court has begun to try the information to which the summons relates, then, if—
  - (a) the accused, at any time during or after the trial, makes a statutory declaration that he did not know of the summons or the proceedings until a date specified in the declaration, being a date after the court has begun to try the information; and
  - (b) within 21 days of that date the declaration is served on the clerk to the justices, without prejudice to the validity of the information, the summons and all subsequent proceedings shall be void.
- (2) For the purposes of subsection (1) above a statutory declaration shall be deemed to be duly served on the clerk to the justices if it is delivered to him, or left at his office, or is sent in a registered letter or by the recorded delivery service addressed to him at his office.
- (3) If on the application of the accused it appears to a magistrates' court (which for this purpose may be composed of a single justice) that it was not reasonable to expect the accused to serve such a statutory declaration as is mentioned in subsection (1) above within the period allowed by that subsection, the court may accept service of such a declaration by the accused after that period has expired; and a statutory declaration accepted under this subsection shall be deemed to have been served as required by that subsection.
- (4) Where any proceedings have become void by virtue of subsection (1) above, the information shall not be tried again by any of the same justices.

**Status:**

Point in time view as at 04/09/1995. This version of this provision has been superseded.

**Changes to legislation:**

Magistrates' Courts Act 1980, Section 14 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.