



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART I

CRIMINAL JURISDICTION AND PROCEDURE

Powers in respect of offenders

33 Maximum penalties on summary conviction in pursuance of section 22.

- (1) Where in pursuance of subsection (2) of section 22 above a magistrates' court proceeds to the summary trial of an information, then, if the accused is summarily convicted of the offence—
- (a) [^{F1}subject to subsection (3) below] the court shall not have power to impose on him in respect of that offence imprisonment for more than 3 months or a fine greater than [^{F2}level 4 on the standard scale]; and
 - (b) [^{F3}section 3 of the Powers of Criminal Courts (Sentencing) Act 2000] shall not apply as regards that offence.
- (2) In subsection (1) above “fine” includes a pecuniary penalty but does not include a pecuniary forfeiture or pecuniary compensation.

[^{F4}(3) Paragraph (a) of subsection (1) above does not apply to an offence under section 12A of the Theft Act 1968 (aggravated vehicle-taking).]

Textual Amendments

- F1** Words in s. 33(1)(a) inserted (1.4.1992) by Aggravated Vehicle-Taking Act 1992 (c. 11), s. 2(3)(a); S.I. 1992/764, art. 2
- F2** Words in s. 33(1)(a) substituted (1.10.1992) by virtue of Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 17(3)(b), 101(1), Sch. 4 Pt. II, Sch. 12 para. 6 (with s. 28); S.I. 1992/333, art. 2(2), Sch. 2
- F3** Words in s. 33(1)(b) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 9 para. 65
- F4** S. 33(3) inserted (1.4.1992) by Aggravated Vehicle-Taking Act 1992 (c. 11), s. 2(3)(b); S.I. 1992/764, art. 2

Status:

Point in time view as at 04/04/2011.

Changes to legislation:

Magistrates' Courts Act 1980, Section 33 is up to date with all changes known to be in force on or before 07 July 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.