



# Magistrates' Courts Act 1980

## 1980 CHAPTER 43

### PART I

#### CRIMINAL JURISDICTION AND PROCEDURE

##### *Miscellaneous*

**[<sup>F1</sup>43A Functions of magistrates' court where a person in custody is brought before it with a view to his appearance before the Crown Court.**

- (1) Where a person in custody in pursuance of a warrant issued by the Crown Court with a view to his appearance before the Crown Court is brought before a magistrates' court in pursuance of section 81(5) of the [<sup>F2</sup>Senior Courts Act 1981]—
- (a) the magistrates' court shall commit him in custody or release him on bail until he can be brought or appear before the Crown Court at the time and place appointed by the Crown Court;
  - (b) if the warrant is endorsed for bail, but the person in custody is unable to satisfy the conditions endorsed, the magistrates' court may vary those conditions, if satisfied that it is proper to do so.
- (2) A magistrates' court shall have jurisdiction under subsection (1) whether or not the offence was committed, or the arrest was made, within the court's area.]

#### **Textual Amendments**

- F1** S. 43A inserted by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(1), [Sch. 5](#)  
**F2** Words in s. 43A(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)

#### **Modifications etc. (not altering text)**

- C1** S. 43A(1) applied (with modifications) (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 2, 153, [Sch. 2 para. 21\(8\)](#); S.I. 2009/3074, [art. 2](#)

**Status:**

Point in time view as at 03/10/2011. This version of this provision has been superseded.

**Changes to legislation:**

Magistrates' Courts Act 1980, Section 43A is up to date with all changes known to be in force on or before 27 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.