



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART I

CRIMINAL JURISDICTION AND PROCEDURE

Committal proceedings

^{F1}5C Depositions.

- (1) For the purposes of section 5A above a deposition complies with this section if—
 - (a) a copy of it is sent to the prosecutor under section 97A(9) below,
 - (b) the condition falling within subsection (2) below is met, and
 - (c) the condition falling within subsection (3) below is met, in a case where it applies.
- (2) The condition falling within this subsection is that before the magistrates' court begins to inquire into the offence concerned as examining justices a copy of the deposition is given, by or on behalf of the prosecutor, to each of the other parties to the proceedings.
- (3) The condition falling within this subsection is that, if the deposition refers to any other document as an exhibit, the copy given to any other party to the proceedings under subsection (2) above is accompanied by a copy of that document or by such information as may be necessary to enable the party to whom it is given to inspect that document or a copy of it.
- (4) So much of any deposition as is admitted in evidence by virtue of this section shall, unless the court commits the accused for trial by virtue of section 6(2) below or the court otherwise directs, be read aloud at the hearing; and where the court so directs an account shall be given orally of so much of any deposition as is not read aloud.
- (5) Any document or other object referred to as an exhibit and identified in a deposition admitted in evidence by virtue of this section shall be treated as if it had been produced as an exhibit and identified in court by the person whose evidence is taken as the deposition.

Status: Point in time view as at 01/09/2004. This version of this provision has been superseded.

Changes to legislation: Magistrates' Courts Act 1980, Section 5C is up to date with all changes known to be in force on or before 14 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. (See end of Document for details)

(6) In this section “document” means anything in which information of any description is recorded.

Textual Amendments

F1 Ss. 5A-5F inserted (with effect as mentioned in Sch. 1 Pt. III para. 39 of the inserting Act) by 1996 c. 25, s. 47, **Sch. 1 Pt. I para.3**; S.I. 1997/683, **art. 1(2)**

Modifications etc. (not altering text)

C1 S. 5C modified (prosp.) by 1997 c. 39, **ss. 9(1), 11(2)** (with ss. 1(4), 11(3))

Status:

Point in time view as at 01/09/2004. This version of this provision has been superseded.

Changes to legislation:

Magistrates' Courts Act 1980, Section 5C is up to date with all changes known to be in force on or before 14 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.