Status: Point in time view as at 28/05/2013. This version of this provision has been superseded.
Changes to legislation: Magistrates' Courts Act 1980, Section 79 is up to date with all changes known to be in force on or before 16 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)

Magistrates' Courts Act 1980

1980 CHAPTER 43

PART III

SATISFACTION AND ENFORCEMENT

General provisions

79   Release from custody and reduction of detention on payment.

(1) Where imprisonment or other detention has been imposed on any person by the order of a magistrates' court in default of payment of any sum adjudged to be paid by the conviction or order of a magistrates' court or for want of sufficient distress to satisfy such a sum, then, on the payment of the sum, together with the costs and charges, if any, of the commitment and distress, the order shall cease to have effect; and if the person has been committed to custody he shall be released unless he is in custody for some other cause.

(2) Where, after a period of imprisonment or other detention has been imposed on any person in default of payment of any sum adjudged to be paid by the conviction or order of a magistrates' court or for want of sufficient distress to satisfy such a sum, payment is made in accordance with [**F1**rules of court] of part of the sum, the period of detention shall be reduced by such number of days as bears to the total number of days in that period less one day the same proportion as the amount so paid bears to so much of the said sum, and the costs and charges of any distress levied to satisfy that sum, as was due at the time the period of detention was imposed.

(3) In calculating the reduction required under subsection (2) above any fraction of a day shall be left out of account.

Textual Amendments

F1   Words in s. 79(2) substituted (1.9.2004) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 219(b)**; S.I. 2004/2066, **art. 2(c)(xi)** (subject to art. 3)

Status:
Point in time view as at 28/05/2013. This version of this provision has been superseded.

Changes to legislation:
Magistrates' Courts Act 1980, Section 79 is up to date with all changes known to be in force on or before 16 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.