



Crime and Disorder Act 1998

1998 CHAPTER 37

PART III

CRIMINAL JUSTICE SYSTEM

Functions of courts etc.

52 Provisions supplementing section 51

- (1) Subject to section 4 of the Bail Act 1976, section 41 of the 1980 Act, regulations under section 22 of the 1985 Act and section 25 of the 1994 Act, the court may send a person for trial under section 51 above—
 - (a) in custody, that is to say, by committing him to custody there to be safely kept until delivered in due course of law; or
 - (b) on bail in accordance with the Bail Act 1976, that is to say, by directing him to appear before the Crown Court for trial.
- (2) Where—
 - (a) the person's release on bail under subsection (1)(b) above is conditional on his providing one or more sureties; and
 - (b) in accordance with subsection (3) of section 8 of the Bail Act 1976, the court fixes the amount in which a surety is to be bound with a view to his entering into his recognisance subsequently in accordance with subsections (4) and (5) or (6) of that section,the court shall in the meantime make an order such as is mentioned in subsection (1) (a) above.
- (3) The court shall treat as an indictable offence for the purposes of section 51 above an offence which is mentioned in the first column of Schedule 2 to the 1980 Act (offences for which the value involved is relevant to the mode of trial) unless it is clear to the court, having regard to any representations made by the prosecutor or the accused, that the value involved does not exceed the relevant sum.

Status: This is the original version (as it was originally enacted).

- (4) In subsection (3) above “the value involved” and “the relevant sum” have the same meanings as in section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small).
- (5) A magistrates' court may adjourn any proceedings under section 51 above, and if it does so shall remand the accused.
- (6) Schedule 3 to this Act (which makes further provision in relation to persons sent to the Crown Court for trial under section 51 above) shall have effect.