



Magistrates' Courts (Appeals From Binding Over Orders) Act 1956

1956 CHAPTER 44 4 and 5 Eliz 2

E+W

An Act to amend the law relating to orders of justices of the peace requiring persons to enter into recognisances to keep the peace or be of good behaviour. [5th July 1956]

1 Right of appeal to quarter sessions. E+W

- (1) Where, under the Justices of the Peace Act 1361 ^{M1}, or otherwise, a person is ordered by a magistrates' court (as defined in [^{F1}the Magistrates' Courts Act 1980]) to enter into a recognisance with or without sureties to keep the peace or to be of good behaviour, he may appeal to [^{F2}the Crown Court]
- (2) In the case of an appeal under this section—
 - (a) the other party to the proceedings which were the occasion of the making of the order shall be the respondent to the appeal;
 - (b) ^{F3} in relation to an appellant in custody for failure to comply with the order, so much of section [^{F4}twenty-two of the ^{M2}Criminal Justice Act 1967], as relates to the release of convicted persons from custody pending an appeal to [^{F2}the Crown Court] shall, with the necessary adaptations, apply as if the appeal were an appeal against a conviction.
- (3) Nothing in this section shall apply in relation to any order an appeal from which lies to [^{F2}the Crown Court] apart from the provisions of this section.
- (4) This section shall not apply to any order made before the expiration of a period of one month beginning with the date of the passing of this Act.

Textual Amendments

- F1** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#) , s. 154(1), Sch. 7 para.16
- F2** Words substituted by virtue of [Courts Act 1971 \(c. 23\)](#), s. 56(2), [Sch. 9 Pt. I](#)

Changes to legislation: There are currently no known outstanding effects for the Magistrates' Courts (Appeals From Binding Over Orders) Act 1956. (See end of Document for details)

- F3** Words repealed by [Criminal Justice Act 1967 \(c. 80\)](#), **Sch. 7 Pt. I**
F4 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), **s. 17(2)(a)**

Marginal Citations

- M1** 34 Edw. 3. c. 1.
M2 [1967 c. 80](#).

2 Short title and extent. **E+W**

- (1) This Act may be cited as the Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.
- (2) This Act shall not extend to Scotland or Northern Ireland.

Changes to legislation:

There are currently no known outstanding effects for the Magistrates' Courts (Appeals From Binding Over Orders) Act 1956.