
STATUTORY INSTRUMENTS

1981 No. 552

The Magistrates' Courts Rules 1981

REGISTER

Register of convictions, etc.

66.—(1) The clerk of every magistrates' court shall keep a register in which there shall be entered—

- (a) a minute or memorandum of every adjudication of the court;
- (b) a minute or memorandum of every other proceeding or thing required by these rules or any other enactment to be so entered.

(2) The register shall be in the prescribed form, and entries in the register shall include, where relevant, such particulars as are provided for in the said form.

(3) Particulars of any entry relating to a decision about bail or the reasons for any such decisions may be made in a book separate from that in which the entry recording the decision itself is made, but any such separate book shall be regarded as forming part of the register.

(4) On the summary trial of an information the accused's plea shall be entered in the register.

(5) Where a court tries any person summarily in any case in which he may be tried summarily only with his consent, the court shall cause his consent to be entered in the register and, if the consent is signified by a person representing him in his absence, the court shall cause that fact also to be entered in the register.

(6) Where a person is charged before a magistrates' court with an offence triable either way the court shall cause the entry in the register to show whether he was present when the proceedings for determining the mode of trial were conducted and, if they were conducted in his absence, whether they were so conducted by virtue of section 18(3) of the Act of 1980 (disorderly conduct on his part) or by virtue of section 23(1) of that Act (consent signified by person representing him).

(7) In any case to which section 22 of the Act of 1980 (certain offences triable either way to be tried summarily if value involved is small) applies, the court shall cause its decision as to the value involved or, as the case may be, the fact that it is unable to reach such a decision to be entered in the register.

(8) Where a court has power under section 53(3) of the Act of 1980 to make an order with the consent of the defendant without hearing evidence, the court shall cause any consent of the defendant to the making of the order to be entered in the register.

(9) The entry in the column of the register headed "Nature of Offence" shall show clearly, in case of conviction or dismissal, what is the offence of which the accused is convicted or, as the case may be, what is the offence charged in the information that is dismissed.

(10) An entry of a conviction in the register shall state the date of the offence.

(11) The entries shall be signed by one of the justices, or the justice, before whom the proceedings to which they relate took place, or by the clerk who was present when those proceedings took place: Provided that, where the proceedings took place before a justice or justices sitting elsewhere than in a petty sessional court-house, the justice or, as the case may be, one of the justices may instead of signing an entry in the register, send to the clerk whose duty it is to keep the register a signed

return of the proceedings containing the particulars required to be entered in the register; and the clerk shall enter the return in the register.

(12) Every register shall be open to inspection during reasonable hours by any justice of the peace, or any person authorised in that behalf by a justice of the peace or the Secretary of State.