
STATUTORY INSTRUMENTS

1981 No. 552

The Magistrates' Courts Rules 1981

REMAND

Transfer of remand hearings

25.—(1) Where a magistrates' court, under section 130(1) of the Act of 1980, orders that an accused who has been remanded in custody be brought up for any subsequent remands before an alternate magistrates' court, the clerk of the first-mentioned court shall, as soon as practicable after the making of the order and in any case within 2 days thereafter (not counting Sundays, Good Friday, Christmas Day or bank holidays), send to the clerk of the alternate court—

- (a) a statement indicating the offence or offences charged;
- (b) a copy of the record made by the first-mentioned court in pursuance of section 5 of the Bail Act 1976 relating to the withholding of bail in respect of the accused when he was last remanded in custody;
- (c) a copy of any legal aid order previously made in the same case;
- (d) a copy of any legal aid application;
- (e) any statement of means already submitted; and
- (f) if the first-mentioned court has made an order under section 8(2) of the Act of 1980 (removal of restrictions on reports of committal proceedings), a statement to that effect.

(2) The clerk of an alternate magistrates' court before which an accused who has been remanded in custody is brought up for any subsequent remands in pursuance of an order made as aforesaid shall, as soon as practicable after the order ceases to be in force and in any case within 2 days thereafter (not counting Sundays, Good Friday, Christmas Day or bank holidays), send to the clerk of the magistrates' court which made the order—

- (a) the documents referred to in sub-paragraphs (c), (d) and (e) of paragraph (1);
- (b) a copy of the record made by the alternate court in pursuance of section 5 of the Bail Act 1976 relating to the grant or withholding of bail in respect of the accused when he was last remanded in custody or on bail;
- (c) a copy of any legal aid order made by the alternate court;
- (d) a copy of any legal aid application made to the alternate court;
- (e) any statement of means submitted to the alternate court; and
- (f) if the alternate court has made an order under section 8(2) of the Act of 1980 (removal of restrictions on reports of committal proceedings), a statement to that effect.