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STATUTORY INSTRUMENTS

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**1981 No. 552**

**The Magistrates' Courts Rules 1981**

**PROCEEDINGS PRELIMINARY TO TRIAL ON INDICTMENT**

**Order for attendance of witness at court of trial**

**8.—(1)** A witness order under section 1 of the Criminal Procedure (Attendance of Witnesses) Act 1965<sup>(1)</sup> shall be in the prescribed form and shall be served on the witness as soon as practicable after the accused has been committed for trial:

Provided that where, at the conclusion of the examination of a witness, the court determines that the witness order shall be a conditional order, the order shall be served on him immediately after the deposition has been signed.

(2) Where a court has directed under subsection (2)(b) of the said section 1 that a witness order shall be treated as a conditional order, it shall give notice to the witness in the prescribed form.

(3) If a witness order has been made as aforesaid and the court determines not to commit the accused for trial, it shall give notice to the witness that he is no longer required to attend.

(4) A notice given under this rule shall be in writing and signed by one of the justices composing the court or the clerk of the court.

(5) A witness order under the said section 1 and a notice given under this rule shall be served by delivering it to the witness or by leaving it for him with some person at his last known or usual place of abode or by sending it by post in a letter addressed to him at his last known or usual place of abode.