
EXPLANATORY NOTE

These Rules consolidate, with amendments, the Rules specified in Schedule 1 to these Rules and prescribe the forms to be used in connection with proceedings in magistrates' courts. These forms are set out in Schedule 2 to these Rules.

Some obsolete forms which were prescribed in the Magistrates' Courts (Forms) Rules 1968 ("the 1968 Rules") have been omitted from Schedule 2.

These forms are—

Number of Form in Schedule to the 1968 Rules	Subject matter of form
26.	Warrant to arrest person indicted.
28.	Warrant of commitment of person indicted who is already in custody.
97.	Order of removal from approved school to borstal.
98.	Interim order on application for removal from approved school to borstal.
101.	Domestic proceedings: report by probation officer of attempted conciliation.
124.	Certificate of ability of surety to pay.
137.	Warrant for temporary removal from approved school.
138.	Warrant for further removal after temporary removal from approved school.

Three other forms which were prescribed in the 1968 Rules have also been omitted in these Rules, namely, forms numbered 64 (Further transfer of fine order), 127 (Complaint for forfeiture of recognizance to keep the peace) and 128 (Summons for forfeiture of recognizance). Instead, certain forms prescribed in Schedule 2 to these Rules, namely, forms numbered 59 (Transfer of fine order), 60 (Transfer of fine order to Scotland or Northern Ireland), 98 (Complaint) and 2 (Summons), respectively, may be used with appropriate amendments.

Four forms, which were prescribed in the Schedule to the 1968 Rules, have been omitted from Schedule 2 to these Rules, namely forms numbered 115A (Notice of courts' powers under sections 16 and 18(1) of the Domestic Proceedings and Magistrates' Courts Act 1978 (c.22)), 115B (Family protection order), 115C (Power of arrest attached to order made under section 16 of the Domestic Proceedings and Magistrates' Courts Act 1978) and 115D (Endorsement of expedited order). These forms are now set out in the Schedule to the Magistrates' Courts (Matrimonial Proceedings) Rules 1980 (S.I. 1980/1582).

Four new forms have been added in Schedule 2 to these Rules, namely, forms numbered 88 (Notice to Crown Court of conviction of further offence committed during operational period of suspended sentence), 114 (Notice to person outside the United Kingdom of complaint for variation etc. of maintenance or custody order), 120 (Recognizance: Bail: Appeal to Crown Court) and 121 (Recognizance to prosecute an appeal before the High Court on case stated and for bail pending the appeal).