
STATUTORY INSTRUMENTS

1997 No. 35

MAGISTRATES' COURTS

The Magistrates' Courts (Remands in Custody)(Amendment) Order 1997

Made - - - - - *12th January 1997*

Coming into force - - - - - *1st February 1997*

Whereas a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by section 128A(1) of the Magistrates' Courts Act 1980(1), I hereby make the following Order:

1. This Order may be cited as the Magistrates' Courts (Remands in Custody) (Amendment) Order 1997 and shall come into force on 1st February 1997.

2.—(1) The Magistrates' Courts (Remands in Custody) Order 1989(2) and the Magistrates' Courts (Remands in Custody) Order 1991(3) shall be amended in accordance with paragraph (2) below.

(2) In each of the Orders referred to in paragraph (1) above, in article 2, the words “in relation to any accused person who has attained the age of 17” shall be omitted.

Home Office
12th January 1997

Michael Howard
One of Her Majesty's Principal Secretaries of
State

(1) 1980 c. 43; section 128A was inserted by section 155(1) of the Criminal Justice Act 1988 (c. 33) and amended by section 52(2) of and Schedule 5 to the Criminal Procedure and Investigations Act 1996 (c. 35).
(2) S.I.1989/970.
(3) S.I. 1991/2667.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Magistrates' Courts (Remands in Custody) Order 1989 and the Magistrates' Courts (Remands in Custody) Order 1991 by removing references to accused persons who have attained the age of 17. These amendments are made in consequence of the amendment to section 128A of the Magistrates' Courts Act 1980 by section 52(2) of the Criminal Procedure and Investigations Act 1996, which removed a similar reference in section 128A itself. As a result, the provision in section 128A (remands in custody for more than eight days) applies to all accused persons, whatever their age.