
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 5

FORMS

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Forms

5.1. The forms set out in the Practice Direction shall be used as appropriate in connection with the rules to which they apply.

Magistrates' court forms in Welsh

5.2.—(1) Subject to the provisions of this rule, the Welsh language forms set out in the Practice Direction or forms to the like effect may be used in connection with proceedings in magistrates' courts in Wales.

(2) Both a Welsh form and an English form may be used in the same document.

(3) When only a Welsh form set out in the Practice Direction accompanying this rule, or only the corresponding English form, is used in connection with proceedings in magistrates' courts in Wales, there shall be added the following words in Welsh and English:

“Darperir y ddogfen hon yn Gymraeg/Saesneg os bydd arnoch ei heisiau. Dylech wneud cais yn ddi-oed i (Glerc Llys yr Ynadon) (rhodder yma'r cyfeiriad)

This document will be provided in Welsh/English if you require it. You should apply immediately to (the Justices' Clerk to the Magistrates' Court) (address)

If a person other than a justices' clerk is responsible for sending or giving the document, insert that person's name.”

(4) The justices' clerk or other person responsible for the service of a form bearing the additional words set out in paragraph (3) above shall, if any person upon whom the form is served so requests, provide him with the corresponding English or Welsh form.

(5) In this rule any reference to serving a document shall include the sending, giving or other delivery of it.

(6) In the case of a discrepancy between an English and Welsh text the English text shall prevail.

Status: This is the original version (as it was originally made).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

[Note. Formerly rules 2 to 6 of, and Schedule 2 to, the Magistrates' Courts (Welsh Forms) Rules 1986(1).]

Signature of magistrates' court forms by justices' clerk

5.3.—(1) Subject to paragraph (2) below, where any form prescribed by these Rules contains provision for signature by a justice of the peace only, the form shall have effect as if it contained provision in the alternative for signature by the justices' clerk.

(2) This rule shall not apply to any form of information, complaint, statutory declaration or warrant, other than a warrant of commitment or of distress.

(3) In this rule where a signature is required on a form or warrant other than an arrest, remand or commitment warrant, an electronic signature incorporated into the document will satisfy this requirement.

[Note. Formerly rule 109 of the Magistrates' Court Rules 1981(2).]

(1) S.I. 1986/1079, modified by sections 43 and 44 of the Criminal Justice and Court Services Act 2000 (c. 43).
(2) S.I. 1981/552, amended by S.I. 2003/1236.