



Magistrates' Courts (Appeals from Binding Over Orders) Act 1956

1956 CHAPTER 44

An Act to amend the law relating to orders of justices of the peace requiring persons to enter into recognisances to keep the peace or be of good behaviour. [5th July 1956]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Right of appeal to quarter sessions.

- (1) Where, under the Justices of the Peace Act, 1361, or otherwise, a person is ordered by a magistrates' court (as defined in the Magistrates' Courts Act, 1952) to enter into a recognisance with or without sureties to keep the peace or to be of good behaviour, he may appeal to a court of quarter sessions.
- (2) In the case of an appeal under this section—
 - (a) the other party to the proceedings which were the occasion of the making of the order shall be the respondent to the appeal;
 - (b) section two of the Summary Jurisdiction (Appeals) Act, 1933 (which relates to legal aid) and, in relation to an appellant in custody for failure to comply with the order, so much of section thirty-seven of the Criminal Justice Act, 1948, as relates to the release of convicted persons from custody pending an appeal to quarter sessions shall, with the necessary adaptations, apply as if the appeal were an appeal against a conviction.
- (3) Nothing in this section shall apply in relation to any order an appeal from which lies to a court of quarter sessions apart from the provisions of this section.
- (4) This section shall not apply to any order made before the expiration of a period of one month beginning with the date of the passing of this Act.

Status: This is the original version (as it was originally enacted).

2 Short title and extent.

- (1) This Act may be cited as the Magistrates' Courts (Appeals from Binding Over Orders) Act, 1956.
- (2) This Act shall not extend to Scotland or Northern Ireland.