

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS.

THE MAGISTRATES' COURTS ACT 1952 (C. 55)

- 9 In section 14(3) (adjournment for inquiries after conviction and before sentence) after the word " so " there shall be inserted the words " the adjournment shall not be for more than four weeks at a time unless the court remands the accused in custody and where it so remands him ".
- 10 In section 26(1) (remand for medical examination) at the end there shall be inserted the words " where the court remands him in custody nor for more than four weeks at a time where it remands him on bail ".
- 11 In section 28 (committal for borstal sentence), in subsection (1) after the word " custody " there shall be inserted the words " or on bail " and in subsection (4) after the word " committed " where it first occurs, there shall be inserted the words " in custody ".
- 12 In section 29 (committal for sentence for indictable offence tried summarily) after the word " custody " there shall be inserted the words " or on bail ".
- 13 In section 70(2) (summons requiring appearance of offender at means inquiry or warrant for his arrest), for the words " this section " there shall be substituted the words " section 44 of the Criminal Justice Act 1967 ".
- 14 In section 72A(2) (court of summary jurisdiction in Scotland to be specified in a transfer of fine order) for the words " twenty pounds or more " there shall be substituted the words " more than fifty pounds or is a fine originally imposed by a court of assize or quarter sessions ".
- 15 In section 72A(3) (termination of functions of convicting court) for the words " convicting court " there shall be substituted the words " court which made the order ".
- 16 In section 72B (powers of magistrates' court under transfer of fine order from Scotland) there shall be added the following subsection :—
- “(3) Where a transfer of fine order under section 44 of the Summary Jurisdiction (Scotland) Act 1954 provides for the enforcement in a petty sessions area in England and Wales of a fine originally imposed by a court of assize or quarter sessions, a magistrates' court acting for that area shall have all the like functions under this Part of this Act, exercisable subject to the like restrictions, as if it were the magistrates' court by which payment of the fine fell to be enforced by virtue of section 44(3) of the Criminal Justice Act 1967 and as if any order made under the said Act of 1954 in respect of the fine before the making of the transfer of fine order had been made by that court.”

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

- 17 In section 96(4) (payment of a forfeited recognizance to be enforced as if it were a fine imposed on summary conviction), after the words " summary conviction " there shall be inserted the words " of an offence not punishable with imprisonment and so much of section 44(10) of the Criminal Justice Act 1967 as empowers a court to remit fines shall not apply to the sum but so much thereof as relates to remission after a term of imprisonment has been imposed shall so apply " and in the proviso to the said section 96(4) for the words " reduce or remit the sum " there shall be substituted the words " remit the whole or any part of the sum either ",
- 18 In section 98(2) and (3) (constitution and place of sitting of magistrates' court) for the words " section 70 of this Act " there shall be substituted the words " section 44 of the Criminal Justice Act 1967 ".
- 19 In section 110(1) (detention of offenders for one day in courthouse or police station), for the words " sixty-nine, seventy or " there shall be substituted the words " thirty-nine or forty-four of the Criminal Justice Act 1967 or section ".
- 20 In section 111(1) (committal to custody overnight at police station for non-payment of fine &c.) for the word " seventy " there shall be substituted the words " forty-four of the Criminal Justice Act 1967 or section ".