



# Criminal Law Act 1977

## 1977 CHAPTER 45

### PART III

#### CRIMINAL PROCEDURE, PENALTIES, ETC.

##### *Cross-border enforcement*

### **39 Service of summonses and citation throughout United Kingdom.**

[<sup>F1</sup>(1) The following documents, namely—

- (a) a summons requiring a person charged with an offence to appear before a court in England or Wales,
- (b) a written charge (within the meaning of section 29 of the Criminal Justice Act 2003) charging a person with an offence,
- (c) a requisition (within the meaning of that section) requiring a person charged with an offence to appear before a court in England or Wales,

[<sup>F2</sup>(ca) a single justice procedure notice (within the meaning of that section) requiring a person charged with an offence to serve a written notification stating—

- (i) whether or not the person desires to plead guilty, and
- (ii) if the person desires to plead guilty, whether or not the person desires to be tried in accordance with section 16A of the Magistrates' Courts Act 1980,] and

- (d) any other document which, by virtue of any enactment, may or must be served on a person with, or at the same time as, a document mentioned in paragraph (a), (b) [<sup>F3</sup>, (c) or (ca)] above,

may, in such manner as may be prescribed by rules of court, be served on him in Scotland or Northern Ireland.]

[<sup>F4</sup>(1A) The documents falling within subsection (1)(a) include a summons directed to a person that is issued after the person's trial has begun.]

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*Changes to legislation: Criminal Law Act 1977, Section 39 is up to date with all changes known to be in force on or before 27 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (2) A summons requiring a person charged with an offence to appear before a court in Northern Ireland may, in such manner as may be prescribed by rules of court, be served on him in England, Wales or Scotland.
- (3) Citation of a person charged with a crime or offence to appear before a court in Scotland may be effected in any other part of the United Kingdom in like manner as it may be done in Scotland, and for this purpose the persons authorised to effect such citation shall include
- [<sup>F5</sup>(a)] , in England and Wales and Northern Ireland, constables and prison officers serving in those parts of the United Kingdom
- [<sup>F6</sup>(b) persons authorised by a chief officer of police in England or Wales to serve summonses there.]

#### Textual Amendments

- F1** S. 39(1) substituted (1.10.2007) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 36 para. 6**; [S.I. 2007/2874](#), art. 2(1)(4)
- F2** S. 39(1)(ca) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 11 para. 1(2)**; [S.I. 2015/778](#), art. 3, Sch. 1 para. 77
- F3** Words in s. 39(1)(d) substituted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 11 para. 1(3)**; [S.I. 2015/778](#), art. 3, Sch. 1 para. 77
- F4** S. 39(1A) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 11 para. 1(4)**; [S.I. 2015/778](#), art. 3, Sch. 1 para. 77
- F5** “(a)” inserted by [Criminal Justice \(Scotland\) Act 1980 \(c. 62\)](#), **Sch. 7 para. 79(a)**
- F6** S. 39(3)(b) added by [Criminal Justice \(Scotland\) Act 1980 \(c. 62\)](#), SIF 39:1, **Sch. 7 para. 79(b)**

**Changes to legislation:**

Criminal Law Act 1977, Section 39 is up to date with all changes known to be in force on or before 27 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38A(5)(ia) by [2000 c. 43 Sch. 7 para. 55](#)
- s. 38B(5)(a) by [2000 c. 43 Sch. 7 para. 56](#)