



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART I

CRIMINAL JURISDICTION AND PROCEDURE

Power to remit person under 17 for trial to juvenile court

29 Power of magistrates' court to remit a person under 17 for trial to a [F1youth court] in certain circumstances.

(1) Where—

- (a) a person under [F2the age of 18 years] (“the juvenile”) appears or is brought before a magistrates' court other than a [F1youth court] on an information jointly charging him and one or more other persons with an offence; and
- (b) that other person, or any of those other persons, has attained that age,

subsection (2) below shall have effect notwithstanding proviso (a) in section 46(1) of the ^{M1}Children and Young Persons Act 1933 (which would otherwise require the charge against the juvenile to be heard by a magistrates' court other than a [F1youth court]).

In the following provisions of this section “the older accused” means such one or more of the accused as have attained [F2the age of 18 years].

(2) If—

- (a) the court proceeds to the summary trial of the information in the case of both or all of the accused, and the older accused or each of the older accused pleads guilty; or
- (b) the court—
 - (i) in the case of the older accused or each of the older accused, [F3sends him to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998; and]
 - (ii) in the case of the juvenile, proceeds to the summary trial of the information,

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then, if in either situation the juvenile pleads not guilty, the court may before any evidence is called in his case remit him for trial to a [F1youth court] acting for the same place as the remitting court or for the place where he habitually resides.

- (3) A person remitted to a [F1youth court] under subsection (2) above shall be brought before and tried by a [F1youth court] accordingly.
- (4) Where a person is so remitted to a [F1youth court]—
- (a) he shall have no right of appeal against the order of remission; and
 - (b) the remitting court may [F4, subject to section 25 of the Criminal Justice and Public Order Act 1994,] give such directions as appear to be necessary with respect to his custody or for his release on bail until he can be brought before the [F1youth court].
- (5) The preceding provisions of this section shall apply in relation to a corporation as if it were an individual who has attained [F2the age of 18 years].

Textual Amendments

- F1** Words in s. 29 substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), s. 100, **Sch. 11 para. 40(2)(n)**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F2** Words in s. 29 substituted (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 68(d), 101(1), Sch. 8 para. 6(1)(a), **Sch. 12 para. 22(1)**; S.I. 1992/333, art. 2(2), **Sch. 2**
- F3** Words in s. 29(2)(b)(i) substituted (9.5.2005 for specified purposes, 18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 3 para. 51(5)**; S.I. 2005/1267, art. 2(1)(2)(a), Sch. Pt. 1; S.I. 2012/1320, art. 4(1)(c)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4); S.I. 2012/2574, art. 2(2)(3)(c), Sch. (with arts. 34) (as amended (4.11.2012) by S.I. 2012/2761, art. 2) (with S.I. 2013/1103, art. 4); S.I. 2013/1103, art. 2(1)(c)(2)(3) (with arts. 34)
- F4** Words in s. 29(4)(b) inserted (10.4.1995) by 1994 c. 33, s. 168(2), **Sch. 10 para.41**; S.I. 1995/721, art. 2, **Sch. AppendixA**

Marginal Citations

- M1** 1933 c. 12.

Changes to legislation:

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

- Act applied by [2017 anaw 2 Sch. 3 para. 18\(5\)](#)

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

- s. 1(6A) inserted by [2003 c. 44 Sch. 36 para. 8\(5\)](#)
- s. 1(6A) words substituted by [2015 c. 2 Sch. 11 para. 3\(4\)](#) (Effect not applied as (6A) was only inserted prospectively.)
- s. 1(7A) inserted by [2003 c. 44 Sch. 36 para. 8\(6\)](#)
- s. 12(2A) inserted by [2022 c. 35 s. 4\(3\)](#)
- s. 12(5A)-(5F) inserted by [2022 c. 35 s. 4\(6\)](#)
- s. 17A(1A) inserted by [2022 c. 35 Sch. 2 para. 6\(2\)\(b\)](#)
- s. 17B(1A)-(1F) substituted for s. 17B(1) by [2022 c. 35 s. 9\(2\)\(b\)](#)
- s. 17B(5) inserted by [2022 c. 35 s. 9\(2\)\(d\)](#)
- s. 17BA inserted by [2022 c. 35 s. 7](#)
- s. 17ZA-17ZC inserted by [2022 c. 35 s. 6\(2\)](#)
- s. 18(1)-(1B) substituted for s. 18(1) by [2022 c. 35 Sch. 2 para. 6\(7\)\(a\)](#)
- s. 18(4A)(4B) inserted by [2022 c. 35 Sch. 2 para. 6\(7\)\(b\)](#)
- s. 18(6) inserted by [2022 c. 35 Sch. 2 para. 6\(7\)\(c\)](#)
- s. 20(7A)(7B) inserted by [2022 c. 35 Sch. 2 para. 6\(8\)\(c\)](#)
- s. 22(2A)-(2E) inserted by [2022 c. 35 Sch. 2 para. 6\(9\)\(a\)](#)
- s. 22A(1A)-(1E) inserted by [2022 c. 35 s. 6\(3\)\(b\)](#)
- s. 23(1A)-(1G) substituted for s. 23(1) by [2022 c. 35 s. 9\(4\)\(b\)](#)
- s. 23(4A)(4B) inserted by [2022 c. 35 s. 9\(4\)\(d\)](#)
- s. 24A(1A) inserted by [2022 c. 35 Sch. 2 para. 6\(11\)\(b\)](#)
- s. 24BA inserted by [2022 c. 35 s. 9\(5\)](#)
- s. 24ZA24ZB inserted by [2022 c. 35 s. 8](#)
- s. 75A inserted by [2013 c. 22 s. 26\(1\)](#)
- s. 85(5) inserted by [2013 c. 22 s. 26\(4\)](#)
- s. 139A inserted by [2013 c. 22 s. 26\(6\)](#)
- s. 145(1A) inserted by [2010 c. 26 Sch. 3 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 145(1A) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- Sch. 6A (entry) by [2000 c. 43 Sch. 7 para. 69](#)