



Police and Criminal Evidence Act 1984

1984 CHAPTER 60

PART IV

DETENTION

Detention—miscellaneous

[^{F1}47ZI Sections 47ZF to 47ZH: proceedings in magistrates' court

- (1) An application made to a magistrates' court under section 47ZF or 47ZG in relation to a person is to be determined by a single justice of the peace on written evidence unless subsection (2) or (3) applies.
- (2) This subsection applies if—
 - (a) the effect of the application would be to extend the applicable bail period in relation to the person so that it ends at or before the end of the period of 12 months beginning with the person's bail start date, and
 - (b) a single justice of the peace considers that the interests of justice require an oral hearing.
- (3) This subsection applies if—
 - (a) the effect of the application would be to extend the applicable bail period in relation to the person so that it ends after the end of the period of 12 months beginning with the person's bail start date, and
 - (b) the person, or the person who made the application, requests an oral hearing.
- (4) If subsection (2) or (3) applies, the application is to be determined by two or more justices of the peace sitting otherwise than in open court.
- (5) Where an application under section 47ZF or 47ZG in relation to a person is to be determined as mentioned in subsection (4), the justices may direct that the person and any legal representative of the person be excluded from any part of the hearing.

Status: Point in time view as at 03/04/2017. This version of this provision has been superseded.

Changes to legislation: Police and Criminal Evidence Act 1984, Section 47ZI is up to date with all changes known to be in force on or before 11 May 2024. 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)

- (6) The justices may give a direction under subsection (5) only if satisfied that there are reasonable grounds for believing that sensitive information would be disclosed at the part of the hearing in question.
- (7) An application under section 47ZH is to be determined by a single justice of the peace on written evidence unless the justice determines that the interests of justice require an oral hearing.
- (8) If the justice makes a determination under subsection (7)—
- (a) the application is to be determined by two or more justices of the peace sitting otherwise than in open court, and
 - (b) the justices hearing the application must direct that the person to whom the application relates and any legal representative of the person be excluded from the hearing.
- (9) In this section “sensitive information” has the meaning given in section 47ZH(4).]

Textual Amendments

- F1** Ss. 47ZA-47ZM inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), ss. 63, 183(1)(5)(e); S.I. 2017/399, reg. 2, Sch. para. 15 (with reg. 5)

Status:

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