

*These notes refer to the Courts Act 2003 (c.39)
which received Royal Assent on 20 November 2003*

COURTS ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS: PART 3

Criminal jurisdiction and procedure

Section 46: Power to transfer criminal cases

111. [Section 46](#) gives magistrates' courts the power to transfer criminal cases to other magistrates' courts at any stage in the proceedings, whether on the application of a party or of their own motion. The parties would have a right to be heard in the latter case. There is to be no appeal from a decision on transfer. In deciding whether to transfer a case, the court or justices' clerk will be required to take account of the directions made by the Lord Chancellor under section 30.