
Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 11

TRIAL BY SINGLE JUSTICE ON THE PAPERS: FURTHER AMENDMENTS

Magistrates' Courts Act 1980 (c. 43)

5 In section 123 (defect in process), after subsection (2) insert—

“(3) In the application of this section to proceedings conducted in accordance with section 16A—

- (a) a reference in subsection (1) or (2) to evidence adduced on behalf of the prosecutor at a hearing is to be read as a reference to evidence placed before the court on behalf of the prosecutor, and
- (b) subsection (2) is to be read as if for the words from “has been misled” to the end there were substituted “ is likely to have been misled by the variance, the court shall treat the written charge as not being appropriate for trial in accordance with section 16A ”.”

Commencement Information

II Sch. 11 para. 5 in force at 13.4.2015 by [S.I. 2015/778](#), art. 3, [Sch. 1 para. 77](#)

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