



Writ of Subpoena Act 1805

1805 CHAPTER 92 45 Geo 3

3 Services of subpoena in any part of the United Kingdom valid as to appearance in any other part.

And whereas it is fit to provide for the appearance of persons to answer in cases where warrants are not usually issued, and to give evidence in criminal prosecutions in every part of the United Kingdom: the service of every writ of subpoena or other process upon any person in any one of the parts of the United Kingdom, requiring the appearance of such person to answer or give evidence in any criminal prosecution in any other of the parts of the same, shall be as good and effectual in law as if the same had been served in that part of the United Kingdom where the person so served is required to appear; and in case such person so served shall not appear according to the exigence of such writ or process, it shall be lawful for the court out of which the same issued, upon proof made of the service thereof to the satisfaction of the said court, to transmit a certificate of such default under the seal of the same court, or under the hand of one of the judges or justices of the same, to the [^{F1}High Court] in England, in case such service was had in England, or, in case such service was had in Scotland, to the Court of Justiciary in Scotland, or, in case such service was had in Ireland, to the [^{F2}High Court of Justice in Northern Ireland]; and the said last-mentioned courts respectively shall and may thereupon proceed against and punish the person so having made default in like manner as they might have done if such person had neglected or refused to appear in obedience to a writ of subpoena or other process issued out of such last-mentioned courts respectively.

Textual Amendments

- F1** Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), s. 224\(1\)](#)
- F2** Words substituted by virtue of [Supreme Court of Judicature Act \(Ireland\) 1877 \(c. 57\), s. 71](#) and S.R. & O. 1921/1802 (Rev. XVI, p. 954: 1921, p. 1332), art. 2

Modifications etc. (not altering text)

- C1** [S. 3](#) extended by [Criminal Procedure \(Attendance of Witnesses\) Act 1965 \(c. 69\), Sch. 2 Pt. I](#) and [Judicature \(Northern Ireland\) Act 1978 \(c. 23\), s. 123\(2\), Sch. 5 Pt. II](#)

Changes to legislation: There are currently no known outstanding effects for the Writ of Subpoena Act 1805, Section 3. (See end of Document for details)

- C2** References to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

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There are currently no known outstanding effects for the Writ of Subpoena Act 1805, Section 3.