



Common Informers Act 1951

1951 CHAPTER 39 14 and 15 Geo 6

An Act to abolish the common informer procedure.

[22nd June 1951]

1 Abolition of certain common informer actions.

- (1) No proceedings for a penalty or forfeiture under any Act in the Schedule to this Act or under any local or private Act shall be instituted in Great Britain against any person after the commencement of this Act:
Provided that this subsection shall not prevent proceedings where no part of the penalty or forfeiture is payable to a common informer.
- (2) Nothing in the foregoing subsection shall be construed as applying to any proceedings for the prosecution of a person on indictment or to any proceedings under the Summary Jurisdiction Acts.
- (3) Where any person would, but for subsection (1) of this section, have been liable to a forfeiture or penalty, he shall be liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale] and, in addition, to any non-pecuniary forfeiture to which he would have been liable as aforesaid:
Provided that if by virtue of any enactment he would have been liable in respect of the same offence to punishment either on summary conviction or on conviction on indictment, and either in addition to or in substitution for his liability to the forfeiture or penalty, he shall not be liable under this subsection.
- (4) Any enactment relating to the burden of proof in proceedings precluded by subsection (1) of this section or providing a defence in such proceedings shall apply for the purpose of proceedings brought instead under the last foregoing subsection.
- (5) Subsection (1) of this section shall bind the Crown so as to prevent the Crown from bringing proceedings as a common informer and, accordingly, the reference to a common informer in the proviso to that subsection shall include a reference to the Crown acting as a common informer.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Common Informers Act 1951. (See end of Document for details)

Textual Amendments

F1 Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

2 **F2**

Textual Amendments

F2 [S. 2](#) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 6 Pt. I**

3 Short title, interpretation and commencement.

- (1) This Act may be cited as the Common Informers Act 1951.
- (2) The reference in this Act to any penalty or forfeiture under any Act in the Schedule to this Act shall include a reference to any penalty or forfeiture under any such Act as extended by any other Act; and for the purposes of this Act a person shall be treated as none the less liable because the consent of the Attorney General or of some other person would have been needed before proceedings were instituted.
- (3) This Act shall come into operation on the first day of September, one thousand nine hundred and fifty-one.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Common Informers Act 1951. (See end of Document for details)

SCHEDULE

Sections 1 & 3.

ACTS PROVIDING FOR COMMON INFORMER ACTIONS

Session and Chapter	Short title	Relevant provisions
...
F3	F3	F3
...
F4	F4	F4
...
F5	F5	F5
...
F4	F4	F4
...
F6	F6	F6
...
F7	F7	F7
...
F6	F6	F6
31 Eliz. c. 6.	The Simony Act 1588.	
...
F6	F6	F6
...
F3	F3	F3
...
F8	F8	F8
5 & 6 Will. & Mary c. 20.	The Bank of England Act 1694.	Section twenty-six.
...
F9	F9	F9

Textual Amendments

- F3** Entries relating to acts 5 Edw. 3. c. 5 and 1 & 2 Jac. 1. c. 5 and to the Linen (Trade Marks) Act 1744 and the Lighting and Watching Act 1833 repealed by [Statute Law Revision Act 1964 \(c. 79\)](#), **Sch.**
- F4** Entries relating to the act 2 Hen. 6. c. 17 and the Apprentices Act 1536 repealed by the [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch.**
- F5** Entry relating to Ecclesiastical Jurisdiction Act 1531 repealed by [Church Assembly Measures, Ecclesiastical Jurisdiction 1963 \(No.1\)](#), s. 87, **Sch. 5**
- F6** Entries relating to the Sale of Horses Act 1555 and the Sale of Horses Act 1558 and the Maintenance and Embracery Act 1540 and to the Fires Prevention Act 1785 repealed by [Criminal Law Act 1967 \(c. 58\)](#), ss. 10, 13, **Schs. 3 Pt. III, 4 Pt. II**
- F7** Entry relating to Leases by Corporations Act 1541 repealed by [Charities Act 1960 \(c. 58\)](#), s. 48(2), **Sch. 7 Pt. I** and also expressed to be repealed by the [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), **Sch.**

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- F8** Entries relating to s. 10 of the Act of Uniformity 1662 and s. 9 of the Ecclesiastical Courts Act 1813 repealed by the Statute Law (Repeals) Act 1971 Sch.
- F9** Entries relating to Acts 8 & 9 Will. 3. c. 8; 12 Geo. 2. c. 26; 15 Geo. 2. c. 20; 13 Geo 3. c. 52; 28 Geo. 3 c. 7 and 38 Geo. 3 c. 69 repealed by the [Hallmarking Act 1973 \(c. 43\)](#), [s. 23 Sch. 7 Pt. I](#)

Session and Chapter	Short title	Relevant provisions
...
F10	F10	F10
17 Geo. 2. c. 40.	The Universities (Wine Licences) Act 1743.	Section eleven.
...
F3	F3	F3
...
F10	F10	F10
...
F11	F11	F11
Geo. 3 c. 49.	The Bank Notes (Scotland) Act 1765.	
11 Geo. 3. c. 31.	The White Herring Fisheries Act 1771.	
...
F9	F9	F9
21 Geo. 3. c. 49.	The Sunday Observance Act 1780.	
...
F6	F6	F6
...
...
...
F12	F12	F12
49 Geo. 3. c. 126.	The Sale of Offices Act 1809.	Section six.
...
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F13	F13	F13
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F14	F14	F14
...

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F14

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Textual Amendments

- F10** Entries relating to the Plate Assay Act 1700 and the Disorderly Houses Act 1751 repealed by [Statute Law Revision Act 1966 \(c. 5\)](#) Sch.
- F11** Entry relating to the Fisheries (Scotland) Act 1756 repealed (S.) by [Inshore Fishing \(Scotland\) Act 1984 \(c. 26, SIF 52;1\)](#), s. 10, [Sch. 2](#)
- F12** Entry relating to Partridges Act 1799 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XVII](#)
- F13** Entries relating to the Apothecaries Act 1815 and the North American Fisheries Act 1819 repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pts. X, XIV](#)
- F14** Entries relating to the Levy of Fines Act 1822 and the Juries Act 1825 and to the Summary Jurisdiction Act 1848 repealed by the [Courts Act 1971 \(c.23\)](#), s. 56(4), [Sch. 11 Pt. IV](#)

Session and Chapter	Short title	Relevant provisions
...
F3	F3	F3
6 & 7 Will. 4. c. 20.	The Ecclesiastical Leases Act 1836.	Section three.
...
F15	F15	F15
6 & 7 Vict. c. 90.	The Public Notaries Act 1843.	Section ten.
10 & 11 Vict. c. 16.	The Commissioners Clauses Act 1847.	Section fifteen.
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F14	F14	F14
...
F16	F16	F16
...
F17	F17	F17
38 & 39 Vict. c. 18.	The Seal Fishery Act 1875.	
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F18	F18	F18
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F18	F18	F18
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F19	F19	F19

Textual Amendments

- F15** Entries relating to the Places of Religious Worship Act 1812 and the Metropolitan Police Courts Act 1839 repealed by the [Statute Law Repeals Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pts. V, XIX](#)

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- F16** Entry relating to s. 102 of the Larceny Act 1861 repealed by the [Theft Act 1968 \(c. 60\), s. 33\(3\), Sch. 3 Pt. III](#)
- F17** Entry relating to the Hosiery Manufacturer (Wages) Act 1874 repealed (E.W.S.) by [Wages Act 1986 \(c. 48, SIF 43:2\), s. 32\(2\), Sch. 5 Pt. III](#)
- F18** Entries relating to the Justices Clerks Act 1877 and the Municipal Corporations Act 1882, except as respects offences committed before the coming into force of this repeal, repealed by [Administration of Justice Act 1973 \(c. 15\), ss. 19\(1\), 20, Sch. 5 Pts. I, II](#)
- F19** Entry relating to Representation of the People Act 1949 repealed by [Representation of the People Act 1969 \(c. 15\), s. 24\(4\), Sch. 3 Pt. I](#)

Status:

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Changes to legislation:

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