
STATUTORY INSTRUMENTS

1981 No. 552 (L. 1)

**MAGISTRATES' COURTS
PROCEDURE**

The Magistrates' Courts Rules 1981

Made - - - - - *20th March 1981*
Laid before Parliament *8th April 1981*
Coming into Operation *6th July 1981*

THE MAGISTRATES' COURTS RULES 1981

GENERAL

1. Citation, operation and revocations
2. Interpretation
3. Saving for the Magistrates' Courts (Children and Young Persons) Rules 1970

INFORMATION AND COMPLAINT

4. Information and complaint

PROCEEDINGS PRELIMINARY TO TRIAL ON INDICTMENT

5. Restrictions on reports of committal proceedings
6. Committal for trial without consideration of evidence
7. Taking depositions of witnesses and statement of accused
8. Order for attendance of witness at court of trial
9. Notice to governor of prison of committal on bail
10. Notices on committal of person subject to transfer direction
11. Documents and exhibits to be retained and sent to court of trial

SUMMARY TRIAL OF INFORMATION AND HEARING OF COMPLAINT

12. Information to be for one offence only

Status: This is the original version (as it was originally made).

13. Order of evidence and speeches: information
14. Order of evidence and speeches: complaint
15. Adjournment of trial of information
16. Form of conviction or order
17. Committals for sentence, etc.
18. Committal to Crown Court for order restricting discharge, etc.
19. Remittals to another magistrates' court for sentence, etc.
20. Duty of clerk receiving statutory declaration under s.14(1) of Act of 1980

SUMMARY TRIAL OF OFFENCE TRIABLE EITHER WAY

21. Duty to recall witnesses who have given evidence before examining justices
22. Preservation of depositions where offence triable either way is dealt with summarily

REMAND

23. Remand on bail for more than 8 days where sureties have not entered into recognizances
24. Documents to be sent on remand for medical inquiry
25. Transfer of remand hearings
26. Notice of further remand in certain cases

DEFERMENT OF SENTENCE

27. Notification of conviction before expiration of period of deferment

CONDITIONAL DISCHARGE AND PROBATION

28. Notification of discharge, etc., of probation order or order for conditional discharge

SUSPENDED SENTENCES

29. Entries in register in respect of suspended sentences
30. Suspended sentence supervision orders

HOSPITAL ORDER

31. Documents to be sent under Mental Health Act 1959

ENDORSEMENT

32. Endorsement of driving licence

DEPOSITION OF PERSON DANGEROUSLY ILL

33. Deposition of person dangerously ill

APPEAL TO MAGISTRATES' COURT

34. Appeal to be by complaint

AFFILIATION ORDERS

35. Time for hearing affiliation summons

DOMESTIC PROCEEDINGS

36. Reasons for decisions in certain domestic proceedings to be recorded
37. Copies of records to be supplied in connection with appeals
38. Certification of records

ORDERS FOR PERIODICAL PAYMENTS

39. Method of making periodical payments
40. Duty of clerk to notify arrears of periodical payments
41. Revocation, variation, etc., of orders for periodical payments
42. Application for sums under affiliation order to be paid to person having custody of child
43. Service of copy of order
44. Remission of sums due under order
45. Duty of clerk to notify remarriage of person entitled to payments under a maintenance order

SATISFACTION, ENFORCEMENT AND APPLICATION OF PAYMENTS

46. Notice to defendant of fine or forfeited recognizance
47. Registration and notification of financial penalty enforcement order
48. To whom payments are to be made
49. Duty of clerk to give receipt
50. Relief of collecting officer
51. Application for further time
52. Notice of date of hearing of means inquiry etc.
53. Notice to defendant before enforcing order
54. Execution of distress warrant
55. Payment after imprisonment imposed
56. Order for supervision
57. Transfer of fine order
58. Civil debt: judgment summons
59. Enforcement of affiliation orders, etc.
60. Enforcement where periodical payments made under more than one order
61. Notice of adjudication on complaint for enforcement of affiliation order, etc.
62. Particulars relating to payment of lump sum under affiliation order, etc. to be entered in register
63. Notice of date of reception in custody and discharge
64. Direction that money found on defaulter shall not be applied in satisfaction of debt

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65. Particulars of fine enforcement to be entered in register

REGISTER

66. Register of convictions, etc.

EVIDENCE—GENERAL

67. Proof of service, handwriting, etc.
68. Proof of proceedings
69. Proof that affiliation, maintenance orders, etc., have not been revoked, etc.

EVIDENCE—CRIMINAL PROCEEDINGS

70. Written statements in committal proceedings or summary trial
71. Proof by formal admission
72. Proof of previous convictions
73. Clerk to have copies of documents sent to defendant under s. 12(1) of the Act of 1980

APPEAL TO CROWN COURT

74. Documents to be sent to Crown Court
75. Abandonment of appeal

CASE STATED

76. Application to state case
77. Consideration of draft case
78. Preparation and submission of final case
79. Extension of time limits
80. Service of documents
81. Content of case

RECOGNIZANCES AND BAIL

82. Recognizance to keep the peace, etc., taken by one court and discharged by another
83. Application to vary order for sureties or dispense with them
84. Notice of enlargement of recognizances
85. Directions as to security, etc.
86. Requirements to be complied with before release
87. Notice to governor of prison, etc. where release from custody is ordered
88. Release when recognizances have been taken or requirements complied with
89. Procedure under s. 13 of the Courts Act 1971
90. Bail records to be entered in register
91. Notice of change of time for appearance
92. Notification of bail decision after arrest while on bail
93. Variation of arrangements for bail on committal to Crown Court

WARRANT

- 94. Committal to custody to be by warrant
- 95. Warrant to be signed
- 96. Warrant of arrest
- 97. Warrant of commitment

SUMMONS

- 98. Form of summons
- 99. Service of summons, etc.

FORM IN WHICH OFFENCE MAY BE STATED IN DOCUMENTS

- 100. Statement of offence

MISCELLANEOUS

- 101. Application for, and notice to be given of, order under s. 95 of, or paragraph 7 of Schedule 10 to, Road Traffic Act 1972
- 102. Application for revocation of order under s.14 of Food and Drugs Act 1955
- 103. Application for substitution of conditional discharge for probation
- 104. Application for review of compensation order
- 105. Application for alteration of maintenance agreement under s. 35 of Matrimonial Causes Act 1973
- 106. Proceedings against person outside the United Kingdom on application for variation, etc. of certain maintenance and custody orders
- 107. Application for summons to witness or warrant for his arrest
- 108. Notice of order under s.104 of Road Traffic Act 1972
- 109. Signature of forms prescribed by rules made under the Act of 1980
Signature

SCHEDULE — REVOCATIONS

Explanatory Note