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STATUTORY INSTRUMENTS

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**1981 No. 553 (L. 2)**

**MAGISTRATES' COURTS**

**PROCEDURE**

**The Magistrates' Courts (Forms) Rules 1981**

<i>Made</i>	- - - -	<i>20th March 1981</i>
<i>Laid before Parliament</i>		<i>8th April 1981</i>
<i>Coming into Operation</i>		<i>6th July 1981</i>

The Lord Chancellor, in exercise of the power conferred on him by section 144 of the Magistrates' Courts Act 1980, as extended by section 145 of that Act, after consultation with the Rule Committee appointed under the said section 144, hereby makes the following Rules:—

**1.—**(1) These Rules may be cited as the Magistrates' Courts (Forms) Rules 1981 and shall come into operation on 6th July 1981.

(2) The Rules mentioned in Schedule 1 to these Rules are hereby revoked, but where proceedings were commenced before 6th July 1981 and the old enactments within the meaning of paragraphs 1 and 2(2) of Schedule 8 to the Magistrates' Courts Act 1980 continue to apply by virtue of paragraph 2(1) of the said Schedule 8, the provisions of the Rules so mentioned continue to apply and nothing in these Rules affects those provisions.

**2.—**(1) The forms contained in Schedule 2 to these Rules or forms to the like effect may be used, with such variation as the circumstances may require, in connection with proceedings in magistrates' courts.

(2) Where a requirement is imposed by or under any Act for the use of a form prescribed by rules made under section 144 of the Magistrates' Courts Act 1980, and an appropriate form is contained in Schedule 1 to these Rules, that form or a form to the like effect shall be used.

Dated 20th March 1981

*Hailsham of St. Marylebone, C*

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SCHEDULE 1

Rule 1(2)

REVOCATIONS

<i>Rules revoked</i>	<i>References</i>
The Magistrates' Courts (Forms) Rules 1968	S.I. 1968/1919.
The Magistrates' Courts (Forms) (Amendment) Rules 1969	S.I. 1969/1710.
The Magistrates' Courts (Forms) (Amendment) Rules 1974	S.I. 1974/444.
The Magistrates' Courts (Forms) (Amendment) Rules 1975	S.I. 1975/127.
The Magistrates' Courts (Forms) (Amendment) (No. 2) Rules 1975	S.I. 1975/301.
The Magistrates' Courts (Forms) (Amendment) Rules 1977	S.I. 1977/1175.
The Magistrates' Courts (Forms) (Amendment) Rules 1978	S.I. 1978/146.
The Magistrates' Courts (Forms) (Amendment) (No. 2) Rules 1978	S.I. 1978/757.
The Magistrates' Courts (Forms) (Amendment) Rules 1979	S.I. 1979/1220.
The Magistrates' Courts (Forms) (Amendment) Rules 1980	S.I. 1980/511.

SCHEDULE 2

Rule 2

FORMS

CRIMINAL PROCEDURE

FORMS COMMON TO INQUIRY BY EXAMINING JUSTICES AND SUMMARY TRIAL  
FORM 1 Information (M.C. Act 1980, s. 1; M.C. Rules 1981, r.4)

FORM 2 Summons (M.C. Act 1980, s. 1; M.C. Rules 1981, r.98)

FORM 3 Summons to accused to attend adjourned hearing (M.C. Act 1980, s. 26(1); M.C. Rules 1981, r. 98)

FORM 4 Warrant of arrest in first instance (Bail Act 1976, s. 3; M.C. Act 1980, ss. 1, 13, 14, 117; M.C. Rules 1981, rr. 95,96)

FORM 5 Warrant of commitment on remand before conviction (Bail Act 1976, ss. 3, 4; M.C. Act 1980, ss. 5, 10, 128; M.C. Rules 1981, rr. 94, 95, 97)

FORM 6 Warrant of commitment on remand to alternate court (M.C. Act 1980, ss. 5, 10, 18(4), 122, 130; M.C. Rules 1981, rr. 25, 94, 95, 97)

FORM 7 Warrant of commitment on remand from alternate court (M.C. Act 1980, ss. 5, 10, 18(4), 128, 130; M.C. Rules 1981, rr. 25, 94, 95, 97)

FORM 8 Warrant of commitment on further remand in custody of person detained under custodial sentence (M.C. Act 1980, s. 131(3); M.C. Rules 1981, rr. 94, 95, 97)

FORM 9 Warrant of commitment: remittal to another magistrates' court for sentence (M.C. Act 1980, ss. 10, 39, 128; M.C. Rules 1981, rr. 19, 94, 95, 97)

FORM 10 Warrant of commitment on further remand in custody of person unable to appear by reason of illness or accident (Bail Act 1976, s. 3; M.C. Act 1980, s. 129; M.C. Rules 1981, rr. 94, 95, 97)

FORM 11 Order for taking finger-prints and palm-prints of accused person (M.C. Act 1980, s. 49)

FORM 12 Warrant of arrest on failure to surrender to bail (Bail Act 1976, s. 7; M.C. Act 1980, s. 117; M.C. Rules 1981, rr. 95, 96)

FORM 13 Statement of witness (C.J. Act 1967, s. 9; M.C. Act 1980, s. 102; M.C. Rules 1981, r. 70)

FORM 14 Notice to defendant: proof by written statement (C.J. Act 1967, s. 9; M.C. Act 1980, s. 102; M.C. Rules 1981, r. 70)

FORM 15 Warrant of arrest issued before return date of summons (Bail Act 1976, s. 3; M.C. Act 1980, ss. 1, 13, 14, 117; M.C. Rules 1981, rr. 95, 96)

#### INQUIRY BY EXAMINING JUSTICES

FORM 16 Certificate to be sent to Crown Court on committal for trial (C.J. Act 1925, s. 13; C.J. Act 1967, ss. 7, 11; M.C. Act 1980, ss. 4, 6, 8, 98; M.C. Rules 1981, rr. 7, 11)

FORM 17 Statement of accused (M.C. Rules 1981, r. 7)

FORM 18 Warrant of commitment: committal to Crown Court for trial (Bail Act 1976, ss. 3, 4; M.C. Act 1980, s. 6; M.C. Rules 1981, rr. 94, 95, 97)

FORM 19 Order committing corporation for trial (M.C. Act 1980, ss. 6, 46, Sch. 3)

FORM 20 Notice to governor of prison of persons committed to the Crown Court on bail (M.C. Rules 1981, rr. 9, 17)

FORM 21 Notice on committal for trial of a person subject to transfer direction under section 73 of the Mental Health Act 1959 (M.C. Rules 1981, r. 10)

FORM 22 Witness order (C.P. (A. of W.) Act 1965, s. 1(1); M.C. Rules 1981, r. 8)

FORM 23 Notice to witness that a witness order is to be treated as a conditional order (C.P. (A. of W.) Act 1965, s. 1(2)(b); M.C. Rules 1981, r. 8(2))

FORM 24 Notice of provisions of s. 11 of Criminal Justice Act 1967 (C.J. Act 1967, s. 11; M.C. Rules 1981, rr. 6 (5), 7 (13))

FORM 25 List of exhibits (M.C. Rules 1981, r. 11(2)(g))

FORM 26 Warrant of commitment of person indicted (Courts Act 1971, s. 13(7); M.C. Rules 1981, rr. 94, 95, 97)

#### SUMMARY TRIAL

FORM 27 Notice to defendant: plea of guilty in absence (M.C. Act 1980, s. 12(1)(a))

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FORM 28 Statement of facts (M.C. Act 1980, s. 12(1)(b))

FORM 29 Notice of intention to cite previous convictions (M.C. Act 1980, s. 104)

FORM 30 Notice of intention to cite previous convictions for offences involving obligatory or discretionary disqualification from driving (R.T. Act 1972, s. 182(2A)(c))

FORM 31 Warrant of arrest on failure to appear in answer to summons or at adjourned trial before evidence has been received (Bail Act 1976, s. 3; M.C. Act 1980, ss. 1, 11, 13, 14, 117; M.C. Rules 1981, rr. 95, 96)

FORM 32 Warrant of arrest on failure to appear after evidence has been received where the accused is at large otherwise than on bail (Bail Act 1976, s. 3; M.C. Act 1980, ss. 1, 11, 13, 14, 117; M.C. Rules 1981, rr. 95, 96)

FORM 33 Warrant of commitment on remand after conviction (C.J. Act 1961, ss. 4(4), 12; Immigration Act 1971, s. 6(2); Bail Act 1976, ss. 3, 4; M.C. Act 1980, ss. 10(3), 128; M.C. Rules 1981, rr. 94, 95, 97)

FORM 34 Warrant of commitment on remand for medical examination (Bail Act 1976, ss. 3, 4; M.C. Act 1980, ss. 10, 30, 128; M.C. Rules 1981, rr. 24, 94, 95, 97)

FORM 35 Hospital order (M.H. Act 1959, s. 60; M.C. Rules 1981, r. 31)

FORM 36 Guardianship order (M.H. Act 1959, s. 60; M.C. Rules 1981, r. 31)

FORM 37 Order of dismissal of information (M.C. Act 1980, s. 9)

FORM 38 Conviction (M.C. Act 1980, s. 9; M.C. Rules 1981, r. 16)

FORM 39 Warrant of commitment: committal to Crown Court for sentence (C.J. Act 1961, s. 1; C.J. Act 1967, s. 62; Bail Act 1976, s. 3; M.C. Act 1980, ss. 37, 38; M.C. Rules 1981, rr. 94, 95, 97)

FORM 40 Warrant of commitment to Crown Court for restriction order (M.H. Act 1959, s. 67(1))

FORM 41 Warrant of commitment to Crown Court for restriction order or sentence (M.H. Act 1959, s. 67(4))

FORM 42 Order of admission to hospital pending restriction order (M.H. Act 1959, s. 68)

FORM 43 Warrant of commitment: sentence of imprisonment (P.C.C. Act 1973, s. 19(3); M.C. Act 1980, s. 132; M.C. Rules 1981, rr. 94, 95, 97)

FORM 44 Warrant of commitment to detention centre (C.J. Act 1961, s. 4; M.C. Rules 1981, rr. 94, 95, 97)

FORM 45 Order of return to borstal (C.J. Act 1961, s. 12; M.C. Act 1980, s. 4(4))

#### ENFORCEMENT OF FINES

FORM 46 Notice of fine (M.C. Rules 1981, r. 46)

FORM 47 Notice of registration of financial penalty enforcement order (Army Act 1955, s. 133A; Air Force Act 1955, s. 133A; Naval Discipline Act 1957, s. 128F; M.C. Rules, 1981, r. 47)

FORM 48 Distress warrant (P.C.C. Act 1973, ss. 31, 32; M.C. Act 1980, ss. 76, 78; M.C. Rules 1981, rr. 54, 95)

FORM 49 Return of insufficient distress (M.C. Act 1980, s. 76(2)) (Endorsement)

FORM 50 Account of charges incurred on distress warrant (M.C. Rules 1981, r. 54(10))

FORM 51 Warrant of commitment on occasion of conviction (P.C.C. Act 1973, s. 19(2); M.C. Act 1980, ss. 76, 82, 132; M.C. Rules 1981, rr. 94, 95, 97)

FORM 52 Warrant of commitment on occasion subsequent to conviction (P.C.C. Act 1973, ss. 19(2), 31; M.C. Act 1980, ss. 76, 77(2), 79, 82, 88, 132; M.C. Rules 1981, rr. 94, 95, 97)

FORM 53 Summons to fine defaulter (P.C.C. Act 1973, ss. 31, 32; M.C. Act 1980, ss. 82, 83; M.C. Rules 1981, r. 98)

FORM 54 Warrant for arrest of fine defaulter (P.C.C. Act 1973, s. 31; M.C. Act 1980, ss. 82, 83; M.C. Rules 1981, rr. 95, 96)

FORM 55 Warrant of commitment to detention centre: non-payment of fine (C.J. Act 1961, s.5)

FORM 56 Endorsement on warrant of commitment in default: defaulter in detention centre (CJ. Act 1961, s. 5(6))

FORM 57 Warrant for detention in police cells etc. (M.C. Act 1980, s. 134; M.C. Rules 1981, rr. 94, 95, 97)

FORM 58 Warrant for detention in police station (M.C. Act 1980, s. 136; M.C. Rules 1981, rr. 95, 97)

FORM 59 Transfer of fine order (P.C.C. Act 1973, ss. 31, 32; M.C. Act 1980, s. 89; M.C. Rules 1981, r. 57)

FORM 60 Transfer of fine order to Scotland or Northern Ireland (P.C.C. Act 1973, ss. 31, 32; M.C. Act 1980, s. 90; M.C. Rules 1981, r. 57)

FORM 61 Notice of transfer of fine order (M.C. Rules 1981, r. 57)

FORM 62 Notice of fine supervision order (M.C. Rules 1981, r. 56)

FORM 63 Authority for clerk of magistrates' court to enforce payment of fine in High Court or County Court (M.C. Act 1980, s. 87)

#### PROBATION AND CONDITIONAL DISCHARGE

FORM 64 Probation order (P.C.C. Act 1973, s. 2)

FORM 65 Order for conditional discharge (P.C.C. Act 1973, s. 7)

FORM 66 Summons to probationer on application to amend probation order (P.C.C. Act 1973, Sch. 1)

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FORM 67 Order amending probation order (P.C.C. Act 1973, Sch. 1)

FORM 68 Order discharging probation order (P.C.C. Act 1973, Sch. 1)

FORM 69 Order substituting conditional discharge for probation (P.C.C. Act 1973, s. 11)

FORM 70 Information for breach of requirement of probation order (P.C.C. Act 1973, s. 6; M.C. Rules 1981, r. 4)

FORM 71 Summons for breach of requirement of probation order (P.C.C. Act 1973, s. 6; M.C. Rules 1981, r. 98)

FORM 72 Warrant of arrest for breach of requirement of probation order (P.C.C. Act 1973, s. 6; Bail Act 1976, s. 3; M.C. Act 1980, s. 117; M.C. Rules 1981, rr. 95, 96)

FORM 73 Warrant of commitment: committal to Crown Court on breach of requirement of probation order (P.C.C. Act 1973, s. 6; Bail Act 1976, ss. 3, 4; M.C. Rules 1981, rr. 94, 95, 97)

FORM 74 Certificate that probationer has failed to comply with requirement of probation order (P.C.C. Act 1973, s. 6(5))

FORM 75 Order on failure to comply with requirements of probation order (P.C.C. Act 1973, s. 6)

FORM 76 Commitment on failure to comply with requirement of probation order (P.C.C. Act 1973, s. 6; M.C. Rules 1981, rr. 94, 95, 97)

FORM 77 Information on commission of further offence during probation period or period of conditional discharge (P.C.C. Act 1973, s. 8; M.C. Rules 1981, r. 4)

FORM 78 Summons on commission of further offence during probation period or period of conditional discharge (P.C.C. Act 1973, s. 8; M.C. Rules 1981, r. 98)

FORM 79 Warrant of arrest on commission of further offence during probation period or period of conditional discharge (P.C.C. Act 1973, s. 8; Bail Act 1976, s. 3; M.C. Act 1980, s. 117; M.C. Rules 1981, rr. 94, 95, 97)

FORM 80 Warrant of commitment: committal to Crown Court on commission of further offence by probationer or person conditionally discharged (P.C.C. Act 1973, s. 8; Bail Act 1976, s. 3; M.C. Rules 1981, rr. 94, 95, 97)

FORM 81 Order in respect of original offence on commission of further offence during probation period or period of conditional discharge (P.C.C. Act 1973, s. 8)

FORM 82 Commitment on commission of further offence during probation period or period of conditional discharge (P.C.C. Act 1973, s. 8; M.C. Rules 1981, rr. 94, 95, 97)

#### SUSPENDED SENTENCES

FORM 83 Conviction: suspended sentence (P.C.C. Act 1973, s. 22; M.C. Act 1980, s. 9; M.C. Rules 1981, r. 16)

FORM 84 Information on commission of further offence during operational period of suspended sentence (P.C.C. Act 1973, s. 25; M.C. Rules 1981, r. 4)

FORM 85 Summons on commission of further offence during operational period of suspended sentence (P.C.C. Act 1973, s. 25; M.C. Rules 1981, r. 98)

FORM 86 Warrant of arrest on conviction of further offence committed during operational period of suspended sentence (P.C.C. Act 1973, s. 25; Bail Act 1976, s. 3; M.C. Act 1980, s. 117; M.C. Rules 1981, rr. 94, 95, 97)

FORM 87 Warrant of commitment: committal to Crown Court on commission of further offence committed during operational period of suspended sentence (P.C.C. Act 1973, s. 24(2); Bail Act 1976, s. 3; M.C. Rules 1981, rr. 94, 95, 97)

FORM 88 Notice to Crown Court of conviction of further offence committed during operational period of suspended sentence (P.C.C. Act 1973, s. 24(2))

FORM 89 Order that suspended sentence shall take effect (P.C.C. Act 1973, s. 23)

FORM 90 Warrant of commitment putting into effect suspended sentence (C.J. Act 1961, s. 4; P.C.C. Act 1973, s. 23; M.C. Rules 1981, rr. 94, 95, 97)

FORM 91 Order varying suspended sentence (P.C.C. Act 1973, s. 23)

#### COMMUNITY SERVICE ORDERS

FORM 92 Community service order (P.C.C. Act 1973, s. 14)

FORM 93 Certificate of failure to comply with community service order (P.C.C. Act 1973, s. 16(4))

FORM 94 Warrant of commitment: revocation of community service order, sentence of imprisonment (P.C.C. Act 1973, ss. 16(3), 17(2), 19, 20, 21; M.C. Rules 1981, rr. 94, 95, 97)

FORM 95 Warrant of commitment: committal to Crown Court to be dealt with in respect of community service order (P.C.C. Act 1973, ss. 16(3)(b), 17(2)(b); Bail Act 1976, ss. 3, 4; M.C. Rules 1981, rr. 94, 95, 97)

#### MISCELLANEOUS

FORM 96 Warrant of commitment: committal to Crown Court: summary offence (C.J. Act 1967, s. 56; Bail Act 1976, s. 3; M.C. Rules 1981, rr. 94, 95, 97)

FORM 97 Notice of order to give information of date of birth and sex (R.T. Act 1972, s. 104; M.C. Rules 1981, r. 108)

#### CIVIL PROCEDURE

##### ORDERS OTHER THAN CIVIL DEBT

FORM 98 Complaint (M.C. Act 1980, ss. 51, 52; M.C. Rules 1981, r. 4)

FORM 99 Summons on complaint (M.C. Act 1980, ss. 51, 52; M.C. Rules 1981, r. 98)

FORM 100 Order of dismissal of complaint (M.C. Act 1980, s. 53)

FORM 101 Order on complaint (M.C. Act 1980, s. 53)

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FORM 102 Summons to rate defaulter (G.R. Act 1967, s. 104; M.C. Rules 1981, r. 98)

FORM 103 Warrant for arrest of rate defaulter (G.R. Act 1967, s. 104; M.C. Act 1980, s. 117; M.C. Rules 1981, rr. 95, 96)

#### CIVIL DEBT

FORM 104 Complaint: civil debt (M.C. Act 1980, s. 58; M.C. Rules 1981, r. 4)

FORM 105 Summons to defendant: civil debt (M.C. Act 1980, s. 51; M.C. Rules 1981, r. 98)

FORM 106 Order: civil debt (M.C. Act 1980, s. 58)

FORM 107 Complaint to enforce civil debt order (M.C. Act 1980, s. 96; M.C. Rules 1981, r. 4)

FORM 108 Judgment summons (M.C. Act 1980, s. 96; M.C. Rules 1981, rr. 58, 98)

FORM 109 Distress warrant: civil debt (M.C. Act 1980, s. 76; M.C. Rules 1981, rr. 53, 54)

FORM 110 Commitment: civil debt enforceable by imprisonment (M.C. Act 1980, ss. 76, 88, 96, 132; M.C. Rules 1981, rr. 94, 95, 97)

#### PERIODICAL PAYMENTS: VARIATION, ETC

FORM 111 Complaint to vary etc. order for periodical payments (M.C. Act 1980, s. 60; M.C. Rules 1981, rr. 4, 41)

FORM 112 Summons to vary etc. order for periodical payments (M.C. Act 1980, ss. 51, 60; M.C. Rules 1981, rr. 41, 98)

FORM 113 Order varying etc. order for periodical payments (M.C. Act 1980, s. 60)

FORM 114 Notice to person outside the United Kingdom of complaint for variation etc. of maintenance or custody order (M.O. (R.E.) Act 1972, s. 41(2A); D.P.M.C. Act 1978, s. 24(2); M.C. Rules 1981, r. 106)

#### RECOGNIZANCES

FORM 115 Order of recognizance to keep the peace etc. (M.C. Act 1980, s. 115)

FORM 116 Summons to vary sureties (M.C. Act 1980, s. 118; M.C. Rules 1981, rr. 83, 98)

FORM 117 Order varying order for sureties (M.C. Act 1980, s. 118; M.C. Rules 1981, r. 83)

FORM 118 Recognizance (civil cases) (M.C. Act 1980, ss. 114, 115; M.C. Rules 1981, rr. 82, 86)

FORM 119 Recognizance of surety (criminal cases) (Bail Act 1976, ss. 3, 8; M.C. Act 1980, s. 120)

FORM 120 Recognizance: Bail; Appeal to Crown Court (M.C. Act 1980, s. 113)

FORM 121 Recognizance to prosecute an appeal before the High Court on case stated and for bail pending the appeal (M.C. Act 1980, s. 114)

FORM 122 Notice of recognizance to principal and sureties (civil cases)

FORM 123 Notice of recognizance to sureties (criminal cases)

FORM 124 Recognizance of witness and surety (Courts Act 1971, s. 13; M.C. Rules 1981, r. 89)

FORM 125 Notice of recognizance to witness and sureties (Courts Act 1971, s. 13; M.C. Rules 1981, r. 89)

FORM 126 Certificate of amount and conditions of recognizance (civil cases) (M.C. Rules 1981, rr. 86, 87)

FORM 127 Certificate of amount and conditions of surety's recognizance and other bail conditions (criminal cases) (Bail Act 1976, ss. 3, 8; M.C. Rules 1981, r. 86)

FORM 128 Certificate as to suitability of surety (criminal cases) (Bail Act 1976, s. 8; M.C. Rules 1981, rr. 86, 87)

FORM 129 Notice of recognizance having been entered into (civil or criminal cases) (M.C. Rules 1981, r. 87)

FORM 130 Notice of compliance with pre-release bail conditions (criminal cases) (Bail Act 1976, s. 3; M.C. Rules 1981, r. 87)

FORM 131 Notice of enlargement of recognizance (civil cases) (M.C. Act 1980, s. 129; M.C. Rules 1981, r. 84)

FORM 132 Notice of enlargement of surety's recognizance (criminal cases) (M.C. Act 1980, ss. 43, 129; M.C. Rules 1981, r. 84)

FORM 133 Notice of forfeiture of recognizance (M.C. Act 1980, s. 120; M.C. Rules 1981, r. 46)

FORM 134 Distress warrant: forfeited recognizance (M.C. Act 1980, ss. 76, 120; M.C. Rules 1981, rr. 46, 95)

FORM 135 Commitment: forfeited recognizance (M.C. Act 1980, s. 120; M.C. Rules 1981, rr. 46, 94, 95, 97)

## GENERAL

FORM 136 Summons to witness (M.C. Act 1980, s. 97; M.C. Rules 1981, r. 98)

FORM 137 Warrant for arrest of witness on failure to appear to summons (M.C. Act 1980, ss. 97, 117; M.C. Rules 1981, rr. 95, 96)

FORM 138 Warrant for arrest of witness in first instance (M.C. Act 1980, ss. 97, 117; M.C. Rules 1981, rr. 95, 96)

FORM 139 Commitment of witness (M.C. Act 1980, ss. 97, 134; M.C. Rules 1981, rr. 94, 95, 97)

FORM 140 Warrant of commitment of witness after failure to attend trial or after Crown Court warrant (Courts Act 1971, s. 13(7); M.C. Rules 1981, 94, 95, 97)

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FORM 141 Order to bring up prisoner before expiration of period of remand or in connection with recognizance (M.C. Act 1980, ss. 115, 118, 128)

FORM 142 Declaration of service (M.C. Rules 1981, r. 67)

FORM 143 Declaration as to handwriting and seal (M.C. Rules 1981, r. 67)

FORM 144 Certificate of service (M.C. Rules 1981, r. 67)

FORM 145 Certificate of service by post (M.C. Rules 1981, rr. 67, 99(6))

FORM 146 Certificate of clerk of magistrates' court of non-payment of sums adjudged (M.C. Act 1980, s. 99)

FORM 147 Declaration as to non-payment of sums adjudged (M.C. Act 1981, s. 99)

FORM 148 Register (M.C. Rules 1981, r. 66)

FORM 149 Record of decision to grant unconditional bail (criminal cases) (Bail Act 1976, s. 5; M.C. Rules 1981, rr. 66, 90)

FORM 150 Record of decision to grant conditional bail (criminal cases) (Bail Act 1976, s. 5; M.C. Rules 1981, rr. 66, 90)

FORM 151 Record of decision to withhold bail (criminal cases) (Bail Act 1976, s. 5; M.C. Rules 1981, rr. 66, 90)

FORM 152 Record of decision to vary conditions of bail or impose conditions on bail granted unconditionally (criminal cases) (Bail Act 1976, s. 5; M.C. Rules 1981, rr. 66, 90)

FORM 153 Record of decision to appoint a different time or place for a person granted bail to surrender to custody (criminal cases) (Bail Act 1976, s. 5; M.C. Act 1980, s. 43; M.C. Rules 1981, r. 66)

FORM 154 Extract from register proving proceeding of a magistrates' court (M.C. Rules 1981, r. 68)

FORM 155 Case stated (M.C. Act 1980, s. 111; M.C. Rules 1981, rr. 78, 81)

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## EXPLANATORY NOTE

These Rules consolidate, with amendments, the Rules specified in Schedule 1 to these Rules and prescribe the forms to be used in connection with proceedings in magistrates' courts. These forms are set out in Schedule 2 to these Rules.

Some obsolete forms which were prescribed in the Magistrates' Courts (Forms) Rules 1968 ("the 1968 Rules") have been omitted from Schedule 2.

These forms are—

Number of Form in Schedule to the 1968 Rules	Subject matter of form
26.	Warrant to arrest person indicted.
28.	Warrant of commitment of person indicted who is already in custody.
97.	Order of removal from approved school to borstal.
98.	Interim order on application for removal from approved school to borstal.
101.	Domestic proceedings: report by probation officer of attempted conciliation.
124.	Certificate of ability of surety to pay.
137.	Warrant for temporary removal from approved school.
138.	Warrant for further removal after temporary removal from approved school.

Three other forms which were prescribed in the 1968 Rules have also been omitted in these Rules, namely, forms numbered 64 (Further transfer of fine order), 127 (Complaint for forfeiture of recognizance to keep the peace) and 128 (Summons for forfeiture of recognizance). Instead, certain forms prescribed in Schedule 2 to these Rules, namely, forms numbered 59 (Transfer of fine order), 60 (Transfer of fine order to Scotland or Northern Ireland), 98 (Complaint) and 2 (Summons), respectively, may be used with appropriate amendments.

Four forms, which were prescribed in the Schedule to the 1968 Rules, have been omitted from Schedule 2 to these Rules, namely forms numbered 115A (Notice of courts' powers under sections 16 and 18(1) of the Domestic Proceedings and Magistrates' Courts Act 1978 (c.22)), 115B (Family protection order), 115C (Power of arrest attached to order made under section 16 of the Domestic Proceedings and Magistrates' Courts Act 1978) and 115D (Endorsement of expedited order). These forms are now set out in the Schedule to the Magistrates' Courts (Matrimonial Proceedings) Rules 1980 (S.I. 1980/1582).

Four new forms have been added in Schedule 2 to these Rules, namely, forms numbered 88 (Notice to Crown Court of conviction of further offence committed during operational period of suspended sentence), 114 (Notice to person outside the United Kingdom of complaint for variation etc. of maintenance or custody order), 120 (Recognizance: Bail: Appeal to Crown Court) and 121 (Recognizance to prosecute an appeal before the High Court on case stated and for bail pending the appeal).