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STATUTORY INSTRUMENTS

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**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 47**

**SUSPENDED SENTENCES OF IMPRISONMENT**

**Entries in magistrates' court register in respect of suspended sentences**

**47.1.**—(1) Where under section 119 of the Powers of Criminal Courts (Sentencing) Act 2000<sup>(1)</sup> a magistrates' court deals with a person in respect of a suspended sentence otherwise than by making an order under section 119(1)(a), the court shall cause to be entered in the register its reasons for its opinion that it would be unjust to make such an order.

(2) Where an offender is dealt with under section 119 of the 2000 Act in respect of a suspended sentence passed by a magistrates' court, the court officer shall note this in the register, or where the suspended sentence was not passed by that court, shall notify the court officer for the court by which it was passed who shall note it in the register.

*[Note. Formerly rule 29 of the Magistrates' Court Rules 1981<sup>(2)</sup>. As to the requirement to keep a register, see rule 6.1.]*

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(1) 2000 c. 6; section 119 is repealed by Part 7 of Schedule 37 to the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed.

(2) S.I. 1981/552; amending instruments relevant to this Part are S.I. 1982/245, 1992/2072, 2001/610 and 2003/1236.