



2015 CHAPTER 9

PART 9

MISCELLANEOUS

Public Prosecutor's summons

Public Prosecutor's summons

93.—(1) Where a complaint has been made by a Public Prosecutor to a lay magistrate^{F1} ... that a person has, or is suspected of having, committed a summary offence^{F1} ..., the Public Prosecutor may issue a summons directed to that person requiring that person to appear before [^{F2}a magistrates' court] to answer to the complaint.

^{F3}(2)

(3) Where a Public Prosecutor has made a complaint to a lay magistrate^{F4} ... that a person has, or is suspected of having, committed an indictable offence^{F4} ... the Public Prosecutor may issue a summons requiring that person to appear [^{F5}before a] magistrates' court.

(4) Where a Public Prosecutor is satisfied that a summons issued under subsection (1) has not been served, the Public Prosecutor may, without a complaint being made to a lay magistrate, re-issue the summons extending the time for the appearance of the person summoned.

(5) Any existing statutory provision which applies to a complaint made or summons issued under paragraph (1), (2), (3) or (4A) of Article 20 of the Magistrates' Courts (Northern Ireland) Order 1981 shall apply (with appropriate modifications) to a complaint made or summons issued by a Public Prosecutor under the corresponding subsection of this section.

Changes to legislation: Justice Act (Northern Ireland) 2015, Cross Heading: Public Prosecutor's summons is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(6) In this section “Public Prosecutor” has the meaning given in section 29(5) of the Justice (Northern Ireland) Act 2002.

Textual Amendments

- F1** Words in s. 93(1) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 143\(a\), Sch. 9 Pt. 1](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F2** Words in s. 93(1) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 143\(a\)](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F3** S. 93(2) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 143\(b\), Sch. 9 Pt. 1](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F4** Words in s. 93(3) omitted (31.10.2016) by virtue of [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 143\(c\)](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F5** Words in s. 93(3) substituted (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 143\(c\)](#) (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)

Commencement Information

- I1** S. 93 in operation at 1.4.2016 by [S.R. 2016/136, art. 3\(b\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)