



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Limitation of time

127 Limitation of time.

- (1) Except as otherwise expressly provided by any enactment and subject to subsection (2) below, a magistrates' court shall not try an information or hear a complaint unless the information was laid, or the complaint made, within 6 months from the time when the offence was committed, or the matter of complaint arose.
- (2) Nothing in—
 - (a) subsection (1) above; or
 - (b) subject to subsection (4) below, any other enactment (however framed or worded) which, as regards any offence to which it applies, would but for this section impose a time-limit on the power of a magistrates' court to try an information summarily or impose a limitation on the time for taking summary proceedings,shall apply in relation to any indictable offence.
- (3) Without prejudice to the generality of paragraph (b) of subsection (2) above, that paragraph includes enactments which impose a time-limit that applies only in certain circumstances (for example, where the proceedings are not instituted by or with the consent of the Director of Public Prosecutions or some other specified authority).
- (4) Where, as regards any indictable offence, there is imposed by any enactment (however framed or worded, and whether falling within subsection (2) (b) above or not) a limitation on the time for taking proceedings on indictment for that offence no summary proceedings for that offence shall be taken after the latest time for taking proceedings on indictment.

Changes to legislation: Magistrates' Courts Act 1980, Section 127 is up to date with all changes known to be in force on or before 19 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

Modifications etc. (not altering text)

- C1** S. 127 excluded by Insurance Companies Act 1982 (c. 50, SIF 67), s. 94(2)
- C2** S. 127 excluded by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 121(2), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58
S. 127 excluded (25.11.1991) by Town and Country Planning Act 1990 (c. 8, SIF 123:1), ss. 65(9), 194(3) (as substituted (25.11.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 16(1) and 10(1) respectively; S.I. 1991/2728, art. 2 (for limited purposes))
- C3** S. 127 excluded (1.12.1991) by Water Resources Act 1991 (c. 57, SIF 130), ss. 101, 225(2) (with ss. 16(6), 179, 222(3), Sch. 22 para. 1, Sch. 23 para. 6)
- C4** S. 127 excluded: (1.12.1991) by Water Resources Act 1991 (c. 57, SIF 130), ss. 202(5), 225(2) (with ss. 16(6), 179, 222(3), Sch. 22 para. 1, Sch. 23 para. 6); and (28.10.1992) by S.I. 1992/2372, reg. 90
S. 127 excluded (1.4.1997) by S.I. 1997/704, rule 5(1)(7)(a)
S. 127 excluded (25.7.2003 for specified purposes and 29.12.2003 for further specified purposes) by Communications Act 2003 (c. 21), ss. 174(1), 411(5) (with Sch. 18); S.I. 2003/1900, art. 1(2), 2, 3(1), Sch. 1; S.I. 2003/3142, art. 3(2) (with art. 11)
S. 127 excluded (5.4.2004) by 1976 c. 63, s. 6(10) (as inserted by Criminal Justice Act 2003 (c. 44), ss. 15(3), 336 (with s. 141); S.I. 2004/829, art. 2(2)(b) (subject to art. 2(3)–(6))
S. 127 excluded (7.3.2005) by S.I. 2005/281, reg. 93
S. 127 excluded (1.10.2005) by S.I. 2005/1803, reg. 41(1)
S. 127 excluded (8.2.2007) by 2006 c. 36, ss. 41(8)(a), 126
S. 127 excluded (20.7.2007) by 2006/3418, {reg. 54} (with regs. 7–14, 63, 64)
- C5** S. 127 restricted (1.10.2009) by Planning Act 2008 (c. 29), ss. 58(6)(7), 226, 241; S.I. 2009/2260, art. 2
- C6** S. 127 excluded by S.I. 2010/60, rule 62.16 (as substituted (4.4.2011) by The Criminal Procedure (Amendment No. 2) Rules 2010 (S.I. 2010/3026), rules 1, 9, Sch. 2)
- C7** S. 127 excluded (3.10.2011) by The Criminal Procedure Rules 2011 (S.I. 2011/1709), rule 62.16(3)(g)
- C8** S. 127 excluded (1.10.2012) by The Criminal Procedure Rules 2012 (S.I. 2012/1726), rule 62.16(2)(4)
- C9** S. 127 excluded (7.10.2013) by The Criminal Procedure Rules 2013 (S.I. 2013/1554), rule 62.16(4) (with rule 2.1)
- C10** S. 127 excluded by 1990 c. 11, s. 26J(3) (as inserted (6.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), ss. 61, 103(3); S.I. 2014/416, art. 3(b))
- C11** S. 127 excluded (6.10.2014) by The Criminal Procedure Rules 2014 (S.I. 2014/1610), rule 62.16(2)(4) (with rule 2.1)
- C12** S. 127 excluded (31.7.2015) by Modern Slavery Act 2015 (c. 30), ss. 34(8), 61(1); S.I. 2015/1476, reg. 2(b)
- C13** S. 127 excluded (5.10.2015) by The Criminal Procedure Rules 2015 (S.I. 2015/1490), rule 48.16(4)
- C14** S. 127 excluded (12.10.2015) by The Nagoya Protocol (Compliance) Regulations 2015 (S.I. 2015/821), regs. 1(3), 16(5) (with regs. 1(5), 12)
- C15** S. 127 excluded by Wireless Telegraphy Act 2006 (c. 36), s. 107(3C)(a) (as inserted (27.6.2017) by Digital Economy Act 2017 (c. 30), ss. 13(2), 118(2) (with s. 13(4)))
- C16** S. 127 excluded (5.10.2020) by The Criminal Procedure Rules 2020 (S.I. 2020/759), rule 48.16(4)
- C17** S. 127 excluded (1.12.2020) by Sentencing Act 2020 (c. 17), ss. 357, 416(1) (with ss. 2, 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2
- C18** S. 127 excluded (5.7.2021 in relation to the metropolitan police district for the specified period) by Offensive Weapons Act 2019 (c. 17), ss. 14(9), 70(1); S.I. 2021/762, regs. 1(2), 2(1) (with reg. 3(2)(3))
- C19** S. 127 excluded (5.7.2021 in relation to the metropolitan police district for the specified period) by Offensive Weapons Act 2019 (c. 17), ss. 18(8), 70(1); S.I. 2021/762, regs. 1(2), 2(1) (with reg. 3(1))
- C20** S. 127 excluded (18.11.2023) by Animals (Low-Welfare Activities Abroad) Act 2023 (c. 45), ss. 3(2)(a), 7(2)
- C21** S. 127 excluded (5.4.2024) by Public Order Act 2023 (c. 15), ss. 21(11), 35(5); S.I. 2024/472, reg. 2(b)
- C22** S. 127 excluded (5.4.2024) by Public Order Act 2023 (c. 15), ss. 28(12), 35(5); S.I. 2024/472, reg. 2(i)

Changes to legislation: Magistrates' Courts Act 1980, Section 127 is up to date with all changes known to be in force on or before 19 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

- C23** S. 127(1) modified by Transport Act 1982 (c. 49, SIF 107:1), **ss. 38(3)(8)**, 49(13)(b)
- C24** S. 127(1) excluded by Companies Act 1985 (c. 6, SIF 27), **s. 731(2)**
- C25** S. 127(1) modified by Surrogacy Arrangements Act 1985 (c. 49, SIF 39:2), **s. 4(6)**
- C26** S. 127(1) excluded by Animals (Scientific Procedures) Act 1986 (c. 14, SIF 4:5), **s. 26(3)**
- C27** S. 127(1) excluded by Insolvency Act 1986 (c. 45, SIF 66), **s. 431(2)**
- C28** S. 127(1) excluded by Banking Act 1987 (c. 22, SIF 10), **s. 97(2)**
S. 127(1) excluded (23.5.1994) by S.I. 1994/1323, **art. 17(7)**
S. 127(1) excluded (19.10.1994) by S.I. 1994/2673, **art. 13(7)**
S. 127 excluded (1.4.1997) by S.I. 1997/704, **rule 5(1)(7)(a)**
S. 127(1) excluded (1.7.1999) by 1985 c. 23, **s. 22B(4)** (as inserted by 1998 c. 37, **ss.45**, 121(2); S.I. 1999/1279, **art. 2**)
S. 127(1) excluded (3.2.1995) by 1991 c. 53, **s. 20A** (as inserted by 1994 c. 33, s. 168(1), **Sch. 9 para.43**; S.I. 1995/127, **art. 2(1)**, **Sch. 1** Appendix A)
S. 127(1) excluded (1.11.1997) (*temp.*) by S.I. 1997/2592, **art. 12(7)**
- C29** S. 127(1) modified by Road Traffic Offenders Act 1988 (c. 53, SIF 107:1), **ss. 64(7)(b)**, 66(4), 92
S. 127(1) modified (21.7.1997) by 1997 c. 22, **s. 21(4)(a)**; S.I. 1997/1672, **art. 2**
- C30** S. 127(1) excluded by S.I. 1989/438, **reg. 29(3)**
- C31** S. 127(1) excluded by S.I. 1989/1058, **reg. 12(3)**
- C32** S. 127(1) excluded (14.10.1991) by Children Act 1989 (c. 41, SIF 20), **ss. 70(8)**, 108(6), (with Sch. 14 para. 1(1)); S.I. 1991/828, **art. 3(2)**
- C33** S. 127(1) excluded by S.I. 1990/1768, **art. 8(6)** (as replaced by S.I. 1990/2144, **art. 3**)
- C34** S. 127(1) excluded: (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), **ss. 20(4)**, 101(1), **Sch. 12 para. 6** (with s. 28); S.I. 1992/333, **art. 2(2)**, **Sch.2**; and (1.4.1992) by S.I. 1992/613, **reg. 34(3)**; and (15.4.1992) by S.I. 1992/975, **art. 16(7)**; and (5.6.1992) by S.I. 1992/1302, **art. 17(7)**; and (1.5.1993) by S.I. 1993/1188, **art. 16(6)**; and (24.5.1993) by S.I. 1993/1244, **art. 22(8)**; and (22.7.1993) by S.I. 1993/1784, **art. 13(7)**; and (22.7.1993) by S.I. 1993/1787, **art. 10(7)**; and (1.10.1993) by S.I. 1993/2355, **art. 12(7)**; and (1.12.1993) by S.I. 1993/2807, **art. 19(7)**
S. 127(1) excluded (25.10.1999) by 1973 c. 35, **s. 11A(2)** (as inserted (25.10.1999) by 1999 c. 26, s. 31, **Sch. 7 paras. 1, 5**; S.I. 1999/2830, 2(1), **Sch. 1 Pt. I**)
S. 127(1) excluded (26.11.1999) by S.I. 1999/3133, **art. 8(7)**
- C35** S. 127(1) amended (4.7.1996) by 1996 c. 25, **s. 56** (with s. 78(1))
S. 127(1) excluded (3.6.1999) by S.I. 1999/1516, **reg. 9(4)**
S. 127(1) excluded (16.6.2000) by S.I. 2000/1556, **art. 17**
S. 127(1) excluded (25.8.2000) by 2000 c. 6, **ss. 126(6)**, 168(1)
S. 127(1) excluded (16.2.2001) by 2000 c. 41, **s. 151(2)** (with s. 156(6)); S.I. 2001/222, **art. 2**, **Sch. 1 Pt. I**
S. 127(1) excluded (16.3.2001) by S.I. 2001/947, **art. 16(7)**
S. 127(1) excluded (10.10.2001) by S.I. 2001/3365, **art. 10(5)**
S. 127(1) excluded (14.12.2001) by 2001 c. 24, **ss. 6**, 127(2), **Sch. 3 para. 8(4)** (with s. 14(3))
S. 127(1) excluded (24.10.2002) by S.I. 2002/2628, **art. 16(7)**
S. 127(1) excluded (25.1.2002) by S.I. 2002/111, **art. 20(8)**
S. 127(1) excluded (14.1.2003) by 1981 c. 22, **s. 71A** (as inserted by 2002 c. 42, **s. 14**); S.I. 2002/3044 **art. 2(a)**
S. 127(1) excluded (14.6.2003) by S.I. 2003/1519, **art. 20(7)**
S. 127(1) excluded (13.2.2004) by S.I. 2004/348, **art. 15(7)**
S. 127(1) excluded (11.2.2005) by S.I. 2005/253, **reg. 9(7)**
S. 127(1) excluded (4.4.2005) by Criminal Justice Act 2003 (c. 44), **ss. 162(6)**, 336; S.I. 2005/950, **art. 2**, **Sch. 1 para. 7** (subject to **art. 2(2)** and **Sch. 2**)
S. 127(1) excluded (21.8.2006) by 1984 c. 55, s. 35A(1) (as inserted by Climate Change and Sustainable Energy Act 2006 (c. 19), **ss. 13(1)**, 28)
S. 127(1) excluded (21.5.2007) by Gambling Act 2005 (c. 19), **ss. 347(2)**, 361 (with **ss. 352**, 354); S.I. 2006/3272, **art. 2(4)**, **Sch. 2** (as amended by S.I. 2007/1157, **arts. 3(3)**, **4(2)(3)(c)**)

Changes to legislation: Magistrates' Courts Act 1980, Section 127 is up to date with all changes known to be in force on or before 19 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

- S. 127(1) excluded (27.3.2007 for W. and 6.4.2007 for E.) by Animal Welfare Act 2006 (c. 45), **ss. 31(1), 68** (with ss. 1(2), 58(1), 59 and 60); S.I. 2007/1030, **art. 2(1)(e)**; S.I. 2007/499, **art. 2(2)(g)**
- C36** S. 127(1) modified (7.2.2005) by Licensing Act 2003 (c. 17), **ss. 186(3), 201** (with ss.2(3), 15(2), 195); S.I. 2004/2360, **art. 2**
- C37** S. 127(1) excluded by 1998 c. 37, s. 13B(7) (as inserted (20.7.2006 for certain purposes, otherwise prosp.) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 144, 178, **Sch. 10 para. 2**; S.I. 2006/1871, **art. 2**, Sch.
- C38** S. 127(1) excluded (26.5.2008) by The Business Protection from Misleading Marketing Regulations 2008 (S.I. 2008/1276), **reg. 10(3)**
- C39** S. 127(1) excluded (26.5.2008) by The Consumer Protection from Unfair Trading Regulations 2008 (S.I. 2008/1277), **reg. 14(3)** (with savings in reg. 28(2)(3))
- C40** S. 127(1) excluded (10.10 a.m. on 8.10.2008) by The Landsbanki Freezing Order 2008 (S.I. 2008/2668), **art. 10(3)**
- C41** S. 127(1) excluded (prosp.) by the Public Health (Control of Disease) Act 1984 (c. 22) 1984 c. 22, ss. 64A(1) (as inserted by the Health and Social Care Act 2008 (c. 14), ss. 130, 170, **Sch. 11 para. 22**)
- C42** S. 127(1) excluded (10.4.2009) by The Iran (United Nations Sanctions) Order 2009 (S.I. 2009/886), **art. 12(6)**
- C43** S. 127(1) excluded (10.7.2009) by The North Korea (United Nations Sanctions) Order 2009 (S.I. 2009/1749), **art. 14(6)**
- C44** S. 127(1) excluded (6.4.2010) by The Community Infrastructure Levy Regulations 2010 (S.I. 2010/948), regs. 1, **97(3)**
- C45** S. 127(1) excluded by Public Health (Control of Disease) Act 1984 (c. 22), s. 64A(1) (as inserted (6.4.2010 for E.) (26.7.2010 for W.) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), **Sch. 11 para. 22**; S.I. 2010/708, art. 6(e) (with Sch. 2), S.I. 2010/1547, art. 2(e))
- C46** S. 127(1) excluded by S.I. 1995/731, reg. 26A(1) (as inserted (E.) (6.4.2012) by The Welfare of Animals (Slaughter or Killing) (Amendment) (England) Regulations 2012 (S.I. 2012/501), regs. 1(c), 4)
- C47** S. 127(1) excluded (30.4.2012) by The Civil Aviation (Air Travel Organisers' Licensing) Regulations 2012 (S.I. 2012/1017), regs. 1(2), **71(1)** (with regs. 73, 74)
- C48** S. 127(1) excluded (8.5.2012) by The Textile Products (Labelling and Fibre Composition) Regulations 2012 (S.I. 2012/1102), regs. 1, **7(3)**
- C49** S. 127(1) excluded (W.) (20.5.2014) by The Welfare of Animals at the Time of Killing (Wales) Regulations 2014 (S.I. 2014/951), regs. 1(c), **41**
- C50** S. 127(1) excluded (E.) (20.5.2014) by The Welfare of Animals at the Time of Killing Regulations 2014 (S.I. 2014/1240), regs. 1(4), **41**
- C51** S. 127(1) excluded (7.8.2014) by The Merchant Shipping (Maritime Labour Convention) (Recruitment and Placement) Regulations 2014 (S.I. 2014/1615), regs. 1(2), **9(2)**
- C52** S. 127(1) excluded (E.) (5.11.2015) by The Welfare of Animals at the Time of Killing (England) Regulations 2015 (S.I. 2015/1782), regs. 1(4), **41(1)**
- C53** S. 127(1) excluded (22.1.2016 at 12 noon) by The Andrey Lugovoy and Dmitri Kovtun Freezing Order 2016 (S.I. 2016/67), arts. 1(1), **10(3)**
- C54** S. 127(1) excluded (22.1.2018 at 12 noon) by The Andrey Lugovoy and Dmitri Kovtun Freezing Order 2018 (S.I. 2018/60), arts. 1(1), **10(3)**
- C55** S. 127(1) excluded (E.) (5.11.2018) by The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 (S.I. 2018/556), regs. 1(3), **14(1)**
- C56** S. 127(1) excluded (19.1.2020) by The Andrey Lugovoy and Dmitri Kovtun Freezing Order 2020 (S.I. 2020/36), arts. 1, **10(3)** (with art. 1(3))
- C57** S. 127(1) excluded (1.12.2020) by Sentencing Act 2020 (c. 17), **ss. 36(5), 416(1)** (with ss. 2, 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2
- C58** S. 127(1) excluded (1.11.2023) by Elections Act 2022 (c. 37), **ss. 57(3)(9), 67(1)**; S.I. 2023/1145, reg. 3(f) (with Sch. para. 10)

Changes to legislation:

Magistrates' Courts Act 1980, Section 127 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 127 excluded by [2019 c. 9 s. 13\(2\)](#)
- s. 127(1) excluded by [2011 nawm 3 Sch. 1 para. 2\(1\)](#)

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

- Act applied by [2017 anaw 2 Sch. 3 para. 18\(5\)](#)

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

- s. 1(6A) inserted by [2003 c. 44 Sch. 36 para. 8\(5\)](#)
- s. 1(6A) words substituted by [2015 c. 2 Sch. 11 para. 3\(4\)](#) (Effect not applied as (6A) was only inserted prospectively.)
- s. 1(7A) inserted by [2003 c. 44 Sch. 36 para. 8\(6\)](#)
- s. 12(2A) inserted by [2022 c. 35 s. 4\(3\)](#)
- s. 12(5A)-(5F) inserted by [2022 c. 35 s. 4\(6\)](#)
- s. 17A(1A) inserted by [2022 c. 35 Sch. 2 para. 6\(2\)\(b\)](#)
- s. 17B(1A)-(1F) substituted for s. 17B(1) by [2022 c. 35 s. 9\(2\)\(b\)](#)
- s. 17B(5) inserted by [2022 c. 35 s. 9\(2\)\(d\)](#)
- s. 17BA inserted by [2022 c. 35 s. 7](#)
- s. 17ZA-17ZC inserted by [2022 c. 35 s. 6\(2\)](#)
- s. 18(1)-(1B) substituted for s. 18(1) by [2022 c. 35 Sch. 2 para. 6\(7\)\(a\)](#)
- s. 18(4A)(4B) inserted by [2022 c. 35 Sch. 2 para. 6\(7\)\(b\)](#)
- s. 18(6) inserted by [2022 c. 35 Sch. 2 para. 6\(7\)\(c\)](#)
- s. 20(7A)(7B) inserted by [2022 c. 35 Sch. 2 para. 6\(8\)\(c\)](#)
- s. 22(2A)-(2E) inserted by [2022 c. 35 Sch. 2 para. 6\(9\)\(a\)](#)
- s. 22A(1A)-(1E) inserted by [2022 c. 35 s. 6\(3\)\(b\)](#)
- s. 23(1A)-(1G) substituted for s. 23(1) by [2022 c. 35 s. 9\(4\)\(b\)](#)
- s. 23(4A)(4B) inserted by [2022 c. 35 s. 9\(4\)\(d\)](#)
- s. 24A(1A) inserted by [2022 c. 35 Sch. 2 para. 6\(11\)\(b\)](#)
- s. 24BA inserted by [2022 c. 35 s. 9\(5\)](#)
- s. 24ZA24ZB inserted by [2022 c. 35 s. 8](#)
- s. 75A inserted by [2013 c. 22 s. 26\(1\)](#)
- s. 85(5) inserted by [2013 c. 22 s. 26\(4\)](#)
- s. 139A inserted by [2013 c. 22 s. 26\(6\)](#)
- s. 145(1A) inserted by [2010 c. 26 Sch. 3 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 145(1A) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 4 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- Sch. 6A (entry) by [2000 c. 43 Sch. 7 para. 69](#)