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SCHEDULES

SCHEDULE 2

CONSEQUENTIAL AND CONNECTED PROVISIONS

PART I

AMENDMENTS RELATING TO SUMMARY JURISDICTION

Supreme Court Act 1981 (c. 54)

9 In Part II of the Supreme Court Act 1981 (jurisdiction), after section 28 insert—

“28A Proceedings on case stated by magistrates' court.

- (1) The following provisions apply where a case is stated for the opinion of the High Court under section 111 of the Magistrates' Courts Act 1980 (case stated on question of law or jurisdiction).
- (2) The High Court may, if it thinks fit, cause the case to be sent back for amendment, whereupon it shall be amended accordingly.
- (3) The High Court shall hear and determine the question arising on the case (or the case as amended) and shall—
 - (a) reverse, affirm or amend the determination in respect of which the case has been stated, or
 - (b) remit the matter to the justice or justices with the opinion of the court,and may make such other order in relation to the matter (including as to costs) as it thinks fit.
- (4) Except as provided by the Administration of Justice Act 1960 (right of appeal to House of Lords in criminal cases), a decision of the High Court under this section is final and conclusive on all parties.”