

SCHEDULES

SCHEDULE 1

COMMITTAL PROCEEDINGS

PART II

OTHER PROVISIONS

Sexual Offences (Amendment) Act 1976

- 23 (1) Section 3 of the Sexual Offences (Amendment) Act 1976 (application of restrictions on evidence at certain trials to committal proceedings etc.) shall be amended as follows.
- (2) The following subsection shall be substituted for subsection (1)—
- “(1) Where a magistrates' court inquires into a rape offence as examining justices, then, except with the consent of the court, no restricted matter shall be raised; and for this purpose a restricted matter is a matter as regards which evidence could not be adduced and a question could not be asked without leave in pursuance of section 2 of this Act if—
- (a) the inquiry were a trial at which a person is charged as mentioned in section 2(1) of this Act, and
 - (b) each of the accused at the inquiry were charged at the trial with the offence or offences of which he is accused at the inquiry.”
- (3) In subsection (2) for the words “evidence or question” (in each place) there shall be substituted “matter”.