



Criminal Justice Act 2003

2003 CHAPTER 44

PART 6

ALLOCATION AND SENDING OF OFFENCES

41 Allocation of offences triable either way, and sending cases to Crown Court

Schedule 3 (which makes provision in relation to the allocation and other treatment of offences triable either way, and the sending of cases to the Crown Court) shall have effect.

Commencement Information

- I1** S. 41 partly in force; s. 41 not in force at Royal Assent, see s. 336(3); s. 41 in force for certain purposes at 4.4.2005 by [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 3](#) (subject to [art. 2\(2\), Sch. 2](#)); s. 41 in force for certain further purposes at 18.5.2012 by [S.I. 2012/1320, art. 2\(a\)](#); s. 41 in force for certain further purposes at 18.6.2012 by [S.I. 2012/1320, arts. 3\(a\), 4\(1\)\(a\)\(2\)\(3\)](#) (with [art. 5](#)) (see [S.I. 2012/2574, art. 4\(2\)](#) and [S.I. 2013/1103, art. 4](#))
- I2** S. 41 in force at 5.11.2012 for specified purposes by [S.I. 2012/2574, art. 2\(1\)\(a\)\(2\)\(3\), Sch.](#) (with [arts. 3, 4](#)) (as amended (4.11.2012) by [S.I. 2012/2761, art. 2](#)) (with [S.I. 2013/1103, art. 4](#))

42 Mode of trial for certain firearms offences: transitory arrangements

- (1) The Magistrates' Courts Act 1980 is amended as follows.
- (2) In section 24 (summary trial of information against child or young person for indictable offence)—
- in subsection (1), for “homicide” there is substituted “ one falling within subsection (1B) below ”,
 - in subsection (1A)(a), for “of homicide” there is substituted “ falling within subsection (1B) below ”,
 - after subsection (1A), there is inserted—

Status: Point in time view as at 05/11/2012.

Changes to legislation: *Criminal Justice Act 2003, Part 6 is up to date with all changes known to be in force on or before 25 May 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)*

“(1B) An offence falls within this subsection if—

- (a) it is an offence of homicide; or
- (b) each of the requirements of section 51A(1) of the Firearms Act 1968 would be satisfied with respect to—
 - (i) the offence; and
 - (ii) the person charged with it,if he were convicted of the offence.”

- (3) In section 25 (power to change from summary trial to committal proceedings and vice versa), in subsection (5), for “homicide” there is substituted “one falling within section 24(1B) above”.

Status:

Point in time view as at 05/11/2012.

Changes to legislation:

Criminal Justice Act 2003, Part 6 is up to date with all changes known to be in force on or before 25 May 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.