



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 3

#### COURTS AND TRIBUNALS

##### *Trial by single justice on the papers*

#### **49 Trial by single justice on the papers: sentencing etc**

In section 121 of the Magistrates' Courts Act 1980 (constitution etc of a magistrates' court), after subsection (5) insert—

“(5A) A magistrates' court that is trying a summary offence in accordance with section 16A is restricted to the following in dealing with the accused for the offence—

- (a) imposing a fine;
- (b) imposing a penalty under section 102(3)(aa) of the Customs and Excise Management Act 1979 or section 29, 35A or 37 of the Vehicle Excise and Registration Act 1994 (penalties imposed for certain offences in relation to vehicle excise licences);
- (c) ordering an amount to be paid under section 30, 36 or 38 of the Vehicle Excise and Registration Act 1994 (liability to additional duty);
- (d) making an order under section 130(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (compensation orders);
- (e) ordering payment of a surcharge under section 161A of the Criminal Justice Act 2003 (victim surcharge);
- (f) making an order as to costs to be paid by the accused to the prosecutor under section 18 of the Prosecution of Offences Act 1985;
- (g) making an order as to costs to be paid by the accused by virtue of section 19 of the Prosecution of Offences Act 1985;
- (h) ordering payment of a charge under section 21A of the Prosecution of Offences Act 1985 (criminal courts charge);

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*Status: This is the original version (as it was originally enacted).*

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- (i) making an order under section 30A of the Road Traffic Offenders Act 1988 (order to disregard penalty points if approved course attended);
  - (j) making an order under section 34 or 35 of the Road Traffic Offenders Act 1988 (disqualification from driving);
  - (k) making an order under section 44 of the Road Traffic Offenders Act 1988 (endorsement of a driving record);
  - (l) making an application to the Secretary of State by virtue of section 24(1)(a) of the Criminal Justice Act 1991 (benefit deductions);
  - (m) making an attachment of earnings order under Part 3 of Schedule 5 to the Courts Act 2003;
  - (n) making an application for benefits deductions to the Secretary of State under Part 3 of Schedule 5 to the Courts Act 2003;
  - (o) making a collection order under Part 4 of Schedule 5 to the Courts Act 2003;
  - (p) discharging the accused absolutely or conditionally.
- (5B) The limit in subsection (5) does not apply to fines imposed as described in subsection (5A).”