
STATUTORY INSTRUMENTS

1991 No. 2667

MAGISTRATES' COURTS

The Magistrates' Courts (Remands in Custody) Order 1991

Made - - - - 25th November 1991

Coming into force - - 2nd December 1991

Whereas a draft of this Order has been approved by resolution of each House of Parliament:
Now, therefore, in exercise of the powers conferred upon me by section 128A(1) of the Magistrates' Courts Act 1980(1), I hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Magistrates' Courts (Remands in Custody) Order 1991 and shall come into force on 2nd December 1991.

(2) In this Order, “the 1989 Order” means the Magistrates' Courts (Remands in Custody) Order 1989(2).

Application of section 128A of the Magistrates' Courts Act 1980 to certain areas

2. Section 128A of the Magistrates' Courts Act 1980 (remands in custody for more than eight days) shall have effect, in relation to any accused person who has attained the age of 17, in all those petty sessions areas, within the meaning of section 4 of the Justices of the Peace Act(3), in which at the date of the coming into force of this Order the said section 128A does not already have effect by virtue of the 1989 Order.

Home Office
25th November 1991

Kenneth Baker
One of Her Majesty's Principal Secretaries of
State

(1) 1980 c. 43; section 128A was inserted by section 155(1) of the Criminal Justice Act 1988 (c. 33).
(2) S.I. 1989/970.
(3) 1979 c. 55, as amended by section 12 of the Local Government Act 1985 (c. 51).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that section 128A of the Magistrates' Courts Act 1980, which enables courts in areas specified by the Secretary of State to remand an accused person in custody for a period exceeding eight clear days, shall have effect in every petty sessions area in which it does not already have effect by virtue of the Magistrate's Courts (Remands in Custody) Order 1989.

Section 128A of the Magistrates' Courts Act 1980 was inserted by section 155 of the Criminal Justice Act 1988, and came into force on 12th October 1988 (S.I. [1988/1676](#)).