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STATUTORY INSTRUMENTS

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**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 7**

**COMMENCING PROCEEDINGS IN MAGISTRATES' COURTS**

**Magistrates' court officer to have copies of documents sent to accused under section 12(1) of the Magistrates' Courts Act 1980**

**7.9.** Where the prosecutor notifies a magistrates' court officer that the documents mentioned in section 12(1)(a) and 12(1)(b) of the Magistrates' Courts Act 1980(1) have been served upon the accused, the prosecutor shall send to the court officer a copy of the document mentioned in section 12(1)(b).

*[Note. Formerly rule 73 of the Magistrates' Courts Rules 1981. Section 12 of the Magistrates' Courts Act 1980 applies where a summons has been issued requiring a person to appear before a magistrates' court, other than a youth court, to answer an information for a summary offence punishable with not more than 3 months' imprisonment. The documents mentioned in section 12(1)(b) are: a notice stating the effect of section 12, and either a statement of the facts to be placed before the court if the accused pleads guilty by post, or copies of the statements of the prosecution witnesses.]*

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(1) Section 12(1) was substituted by section 45 of, and paragraph 1 of Schedule 5 to, the Criminal Justice and Public Order Act 1994 (c. 33) and amended by paragraphs 95 and 97 of Schedule 13 to the Access to Justice Act 1999 (c. 22) and paragraph 203 of Schedule 8 to the Courts Act 2003 (c. 39), and is further amended by section 308 of, and Part 12 of Schedule 37 to, the Criminal Justice Act 2003 (c. 44), with effect from a date to be appointed.