



# Magistrates' Courts Act 1980

## CHAPTER 43

### MAGISTRATES' COURTS ACT 1980

#### PART I

##### CRIMINAL JURISDICTION AND PROCEDURE

###### *Jurisdiction to issue process and deal with charges*

- 1 Issue of summons to accused or warrant for his arrest.
- 2 Trial of summary offences
- 3 Offences committed on boundaries, etc.
- 3A Offences committed on ships and abroad.
- 3B Transfer of trials of summary offences.

###### *Committal proceedings*

- 4 General nature of committal proceedings.
- 5 Adjournment of inquiry.
- 5A Evidence which is admissible.
- 5B Written statements.
- 5C Depositions.
- 5D Statements.
- 5E Other documents.
- 5F Proof by production of copy.
- 6 Discharge or committal for trial.
- 7 Place of trial on indictment.
- 8 Restrictions on reports of committal proceedings.

###### *Pre-trial hearings*

- 8A Power to make rulings at pre-trial hearing
- 8B Effect of rulings at pre-trial hearing

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- 8C Restrictions on reporting
- 8D Offences in connection with reporting

*Summary trial of information*

- 9 Procedure on trial.
- 10 Adjournment of trial.
- 11 Non-appearance of accused: general provisions.
- 12 Non-appearance of accused: plea of guilty.
- 12A Application of section 12 where accused appears.
- 13 Non-appearance of accused: issue of warrant.
- 14 Proceedings invalid where accused did not know of them.
- 15 Non-appearance of prosecutor.
- 16 Non-appearance of both parties.

*Trial by single justice on the papers*

- 16A Trial by single justice on the papers
- 16B Cases not tried in accordance with section 16A
- 16C Cases that cease to be tried in accordance with section 16A
- 16D Sections 16B and 16C: further provision
- 16E Accused not aware of single justice procedure notice
- 16F Admissibility of statements

*Automatic online conviction and penalty for certain summary offences*

- 16G The automatic online conviction option
- 16H Conviction
  - 16I Penalties and other liabilities
  - 16J Regulations about penalties etc under section 16I
- 16K Timing and status of conviction and penalty
- 16L Notice of conviction and penalty
- 16M Powers to set aside a conviction or replace a penalty etc

*Offences triable on indictment or summarily*

- 17 Certain offences triable either way.
- 17A Initial procedure: accused to indicate intention as to plea.
- 17B Intention as to plea: absence of accused.
- 17C Intention as to plea: adjournment.
- 17D Maximum penalty under section 17A(6) or 17B(2)(c) for certain offences
- 17E Functions under sections 17A to 17D capable of exercise by single justice
  - 18 Initial procedure on information against adult for offence triable either way.
  - 19 Decision as to allocation
  - 20 Procedure where summary trial appears more suitable
  - 20A Procedure where summary trial appears more suitable: supplementary
  - 21 Procedure where trial on indictment appears more suitable
  - 22 Certain offences triable either way to be tried summarily if value involved is small.
- 22A Low-value shoplifting to be a summary offence
  - 23 Power of court, with consent of legally represented accused, to proceed in his absence.

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- 24 Summary trial of information against child or young person for indictable offence.
- 24A Child or young person to indicate intention as to plea in certain cases
- 24B Intention as to plea by child or young person: absence of accused
- 24C Intention as to plea by child or young person: adjournment
- 24D Functions under sections 24A to 24C capable of exercise by single justice
- 25 Power to change from summary trial to committal proceedings, and vice versa.
- 26 Power to issue summons to accused in certain circumstances.
- 27 Effect of dismissal of information for offence triable either way.

*Transfer of criminal proceedings*

- 27A Power to transfer criminal proceedings
- 28 Criminal Jurisdiction and Procedure

*Power to remit person under 17 for trial to juvenile court*

- 29 Power of magistrates' court to remit a person under 17 for trial to a youth court in certain circumstances.

*Remand for medical examination*

- 30 Criminal Jurisdiction and Procedure

*Powers in respect of offenders*

- 31 Criminal Jurisdiction and Procedure
- 32 Penalties on summary conviction for offences triable either way.
- 33 Maximum penalties on summary conviction in pursuance of section 22.
- 34 Mitigation of penalties, etc.
- 35 Criminal Jurisdiction and Procedure
- 36 Criminal Jurisdiction and Procedure
- 36A Alterations of names of petty sessions areas in inner London area.
- 37 Criminal Jurisdiction and Procedure
- 38 Criminal Jurisdiction and Procedure
- 38A Criminal Jurisdiction and Procedure
- 39 Criminal Jurisdiction and Procedure
- 40 Criminal Jurisdiction and Procedure

*Miscellaneous*

- 41 Restriction on grant of bail in treason.
- 42 Restriction on justices sitting after dealing with bail.
- 43 Bail on arrest.
- 43A Functions of magistrates' court where a person in custody is brought before it with a view to his appearance before the Crown Court.
- 43B Power to grant bail where police bail has been granted.
- 44 Aiders and abettors.
- 45 Incitement.
- 46 Corporations.
- 47 Service of summons out of time after failure to prove service by post.
- 48 Return of property taken from accused.
- 49 Criminal Jurisdiction and Procedure

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- 50 Construction of references to complaint in enactments dealing with offences.

## PART II

### CIVIL JURISDICTION AND PROCEDURE

#### *Jurisdiction to issue summons and deal with complaints*

- 51 Issue of summons on complaint  
52 Jurisdiction to deal with complaints.

#### *Hearing of complaint*

- 53 Procedure on hearing.  
54 Adjournment and stays  
55 Non-appearance of defendant.  
56 Non-appearance of complainant.  
57 Non-appearance of both parties.

#### *Transfer of civil proceedings (other than family proceedings)*

- 57A Power to transfer civil proceedings (other than family proceedings)

#### *Civil debt*

- 58 Money recoverable summarily as civil debt.

#### *Orders for periodical payment*

- 59 Orders for periodical payment: means of payment.  
59A Orders for periodical payment: proceedings by designated officer.  
59B Maintenance orders: penalty for breach.  
60 Revocation, variation, etc. of orders for periodical payment.  
61 Periodical payments payable by one person under more than one order.

#### *Payments to children*

- 62 Provisions as to payments required to be made to a child, etc.

#### *Orders other than for payment of money*

- 63 Orders other than for payment of money.

#### *Costs*

- 64 Power to award costs and enforcement of costs.

#### *Domestic proceedings*

- 65 Meaning of domestic proceedings.  
65A Meaning of family procedure rules  
66 Composition of magistrates' courts for family proceedings: general.  
67 Family proceedings courts.  
68 Combined domestic court panels.  
68A Power of the magistrates' court to order disclosure of documents, inspection of property etc. in family proceedings  
69 Sittings of magistrates' courts for domestic proceedings.

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- 70 Jurisdiction of magistrates' courts in inner London for domestic proceedings.
- 71 Newspaper reports of domestic proceedings.
- 72 Report by probation officer on means of parties.
- 73 Examination of witnesses by court.
- 74 Reasons for decisions in domestic proceedings.

### **PART III**

#### SATISFACTION AND ENFORCEMENT

##### *General provisions*

- 75 Power to dispense with immediate payment.
- 76 Enforcement of sums adjudged to be paid.
- 77 Postponement of issue of warrant.
- 78 Defect in distress warrant and irregularity in its execution.
- 79 Release from custody and reduction of detention on payment.
- 80 Application of money found on defaulter to satisfy sum adjudged.

##### *Sums adjudged to be paid by a conviction*

- 81 Enforcement of fines imposed on young offenders.
- 82 Restriction on power to impose imprisonment for default.
- 83 Process for securing attendance of offender . . . .
- 84 Power to require statement of assets and other financial circumstances .
- 85 Power to remit fine.
- 85A Variation of instalments of sum adjudged to be paid by conviction.
- 86 Power of magistrates' court to fix day for appearance of offender at means inquiry etc.
- 87 Enforcement of payment of fines by High Court and county court.
- 87A Fines imposed on companies.
- 88 Supervision pending payment.
- 89 Transfer of fine order.
- 90 Transfer of fines to Scotland or Northern Ireland.
- 91 Transfer of fines from Scotland or Northern Ireland.

##### *Sums adjudged to be paid by an order*

- 92 Restriction on power to impose imprisonment for default.
- 93 Complaint for arrears.
- 94 Effect of committal on arrears.
- 94A Interest on arrears.
- 95 Remission of arrears and manner in which arrears to be paid.
- 96 Civil debt: complaint for non-payment.
- 96A Application of Part III to persons aged 17 to 20.

### **PART IV**

#### WITNESSES AND EVIDENCE

##### *Procuring attendance of witness*

- 97 Summons to witness and warrant for his arrest.
- 97A Summons or warrant as to committal proceedings.

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### *Evidence generally*

- 98 Evidence on oath.
- 99 Proof of non-payment of sum adjudged.
- 100 Statement of wages to be evidence.
- 101 Onus of proving exceptions, etc.

### *Evidence in criminal cases*

- 102 Written statements before examining justices.
- 103 Evidence of persons under 14 in committal proceedings for assault, sexual offences etc.
- 104 Proof of previous convictions.
- 105 Deposition of person dangerously ill.

### *Offences*

- 106 False written statements tendered in evidence.
- 107 False statements in declaration proving service, etc.

## **PART V**

### APPEAL AND CASE STATED

#### *Appeal*

- 108 Right of appeal to the Crown Court.
- 109 Abandonment of appeal.
- 110 Enforcement of decision of the Crown Court.

#### *Case stated*

- 111 Statement of case by magistrates' court.
- 111A Appeals on ground of error of law etc in child support proceedings
- 112 Effect of decisions made on case stated or on appeal

#### *Supplemental provisions as to appeal and case stated*

- 113 Bail on appeal or case stated.
- 114 Recognizances and fees on case stated.

## **PART VI**

### RECOGNIZANCES

#### *Recognizances to keep the peace or be of good behaviour*

- 115 Binding over to keep the peace or be of good behaviour.
- 116 Discharge of recognizance to keep the peace or be of good behaviour on complaint of surety.

#### *Other provisions*

- 117 Warrant endorsed for bail.
- 118 Varying or dispensing with requirement as to sureties.
- 119 Postponement of taking recognizance.
- 120 Forfeiture of recognizance.

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## PART VII

### MISCELLANEOUS AND SUPPLEMENTARY

#### *Constitution and place of sitting of magistrates' courts*

121 Constitution and place of sitting of court.

#### *Appearance by counsel or solicitor*

122 Appearance by counsel or solicitor.

#### *Process*

123 Defect in process.

124 Process valid notwithstanding death, etc., of justice.

125 Warrants.

125ZA Warrants of control

125A Civilian enforcement officers.

125B Execution by approved enforcement agency.

125BA Powers of persons authorised under section 125A or 125B

125C Disclosure of information for enforcing warrants.

125CA Power to make disclosure order

125CB Use of information supplied under disclosure order

125D Execution by person not in possession of warrant.

126 Execution of certain warrants outside England and Wales.

#### *Limitation of time*

127 Limitation of time.

#### *Remand*

128 Remand in custody or on bail.

128A Remands in custody for more than eight days.

129 Further remand.

130 Transfer of remand hearings.

131 Remand of accused already in custody.

#### *Restrictions on imprisonment*

132 Minimum term.

133 Consecutive terms of imprisonment.

#### *Detention for short periods*

134 .....

135 Detention of offender for one day in court-house or police station.

136 Committal to custody overnight at police station for non-payment of sum adjudged by conviction.

#### *Fees, fines, forfeitures, etc.*

137 Fees.

138 Remission of fees

139 Disposal of sums adjudged to be paid by conviction.

140 Disposal of non-pecuniary forfeitures.

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### *Clerks to justices*

141 Clerks to justices.

### *Power to rectify mistakes etc.*

142 Power of magistrates' court to re-open cases to rectify mistakes etc.

### *Power to alter sums specified in certain provisions*

143 Power to alter sums specified in certain provisions.

### *Rules*

144 ... Rules of procedure.

144A Rules to be made if required by Lord Chancellor

145 Rules: supplementary provisions.

145A Rules: costs order against legal representative.

### *Rules about youth courts*

146 Rules relating to youth court panels and composition of youth courts.

### *Occasional court-houses*

147 Occasional court-house.

### *Interpretation*

148 "Magistrates' court".

149 Isles of Scilly.

150 Interpretation of other terms.

### *Miscellaneous*

151 Application of Act to distress for rates.

152 Saving for juvenile courts.

153 Magistrates' court may sit on Sundays and public holidays.

### *Repeals, short title, etc.*

154 Consequential amendments, transitional provisions, repeals, etc.

155 Short title, extent and commencement.

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## SCHEDULES

### SCHEDULE 1 — OFFENCES TRIABLE EITHER WAY BY VIRTUE OF SECTION 17

- 1 Offences at common law of public nuisance.
- 1A An offence at common law of outraging public decency.
- 2 Offences under section 8 of the Disorderly Houses Act 1751...
- 3 Offences consisting in contravention of section 13 of the Statutory...
- 4 Offences under section 36 of the Malicious Damage Act 1861...
- 5 Offences under the following provisions of the Offences against the...
- 6 Offences under section 20 of the Telegraph Act 1868 (disclosing...
- 7 Offences under section 13 of the Debtors Act 1869 (transactions...



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- 8 Offences under section 5 of the Public Stores Act 1875...
- 9 Offences under section 12 of the Corn Returns Act 1882...
- 10 . . . . .
- 11 Offences under section 3 of the Submarine Telegraph Act 1885...
- 12 Offences under section 13 of the Stamp Duties Management Act...
- 13 Offences under section 8(2) of the Cremation Act 1902 (making...
- 14 All offences under the Perjury Act 1911 except offences under—...
- 15 . . . . .
- 16 Offences under section 17 of the Deeds of Arrangement Act...
- 17 . . . . .
- 18 Offences under section 8(2) of the Census Act 1920 (disclosing...
- 19 Offences under section 36 of the Criminal Justice Act 1925...
- 20 Offences under section 11 of the Agricultural Credits Act 1928...
- 21 . . . . .
- 22 . . . . .
- 23 Offences under the following provisions of the Sexual Offences Act...
- 24 . . . . .
- 25 . . . . .
- 26 The following offences under the Criminal Law Act 1967—
- 27 Offences under section 4(1) of the Sexual Offences Act 1967...
- 28 All indictable offences under the Theft Act 1968 except:—
- 29 Offences under the following provisions of the Criminal Damage Act...
- 30 Offences in relation to stamps issued for the purpose of...
- 31 Uttering any forged document the forgery of which is an...
- 32 Committing an indecent assault upon a person whether male or...
- 33 Aiding, abetting, counselling or procuring the commission of any offence...
- 34 . . . . .
- 35 Any offence consisting in the incitement to commit an offence...

SCHEDULE 2 — OFFENCES FOR WHICH THE VALUE INVOLVED IS RELEVANT TO THE MODE OF TRIAL

SCHEDULE 3 — CORPORATIONS

- 1 (1) A magistrates' court may commit a corporation for trial...
- 2 A representative may on behalf of a corporation—
- 3 (1) Where a representative appears, any requirement of this Act...
- 4 (1) Notification or intimation for the purposes of subsections (2)...
- 5 . . . . .
- 6 Subject to the preceding provisions of this Schedule, the provisions...
- 7 Where a corporation and an individual who has attained the...
- 8 Subsection (6) of section 33 of the Criminal Justice Act...

SCHEDULE 4 — MAXIMUM PERIODS OF IMPRISONMENT IN DEFAULT OF PAYMENT

- 1 Subject to the following provisions of this Schedule, the periods...
- 2 (1) Where the amount due at the time imprisonment or...
- 3 The maximum period applicable to a sum of any amount...

SCHEDULE 4A — Powers of authorised officers executing warrants

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*Meaning of “authorised officer” etc*

1 In this Schedule— “ authorised officer ”, in relation to...

*Entry to execute warrant of arrest etc*

2 (1) An authorised officer may enter and search any premises...

*Entry to levy distress*

3 .....

*Searching arrested persons*

4 (1) This paragraph applies where a person is arrested in...

*Use of force*

5 An authorised officer may use reasonable force, if necessary, in...

SCHEDULE 5 — TRANSFER OF REMAND HEARINGS

- 1 A court which, on adjourning a case, makes an order...
- 2 Where an order under subsection (1) of section 130 of...
- 3 A court making an order under subsection (1) of section...
- 4 A person to whom an order under section 130(1) of...
- 5 Section 130 of this Act and this Schedule have effect...

SCHEDULE 6 —

PART I — FEES TO BE TAKEN BY JUSTICES’ CHIEF EXECUTIVES

Part II — MATTERS IN RESPECT OF WHICH NO FEES ARE CHARGEABLE

- 1 Any summons, warrant, notice or order issued, given or made...
- 2 Any criminal matter, but this paragraph shall not prevent the...

Part III — MATTERS TO WHICH PART I DOES NOT APPLY

- 1 .....
- 2 .....
- 3 Licences under section 1 of the Cinemas Act 1985.
- 4 .....
- 5 Matters in respect of which fees are authorised to be...

Schedule 6A — FINES THAT MAY BE ALTERED UNDER SECTION 143

SCHEDULE 7 — CONSEQUENTIAL AMENDMENTS

*Summary Jurisdiction Act 1857 (20 & 21 Vict. c. 43)*

1 .....

*Criminal Law Amendment Act 1867 (30 & 31 Vict. c. 35)*

2 In section 6 of the Criminal Law Amendment Act 1867...

*Gun Barrel Proof Act 1868 (c. cxiii)*

3 .....

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*Criminal Justice Act 1925 (15 & 16 Geo. 5 c. 86)*

- 4 .....  
5 In section 33(4) of the Criminal Justice Act 1925 for...

*Children and Young Persons Act 1933 (23 & 24 Geo. 5 c. 12)*

- 6 In section 46(1A) of the Children and Young Persons Act...

*Criminal Justice Act 1948 (11 & 12 Geo. 6 c. 58)*

- 7 In section 27(3) of the Criminal Justice Act 1948 for...

*Maintenance Orders Act 1950 (14 Geo. 6 c. 37)*

- 8 In section 25(1) of the Maintenance Orders Act 1950 for...

*Rag Flock and Other Filling Materials Act 1951 (14 & 15 Geo. 6 c. 63)*

- 9 .....

*Pharmacy Act 1954 (2 & 3 Eliz. 2 c. 61)*

- 10 In section 21 of the Pharmacy Act 1954 for “the...

*Mines and Quarries Act 1954 (2 & 3 Eliz. 2 c. 70)*

- 11 In section 153(a) of the Mines and Quarries Act 1954...

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

- 12 In sections 187(4) and 215(9) of the Army Act 1955...

*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

- 13 In sections 187(4) and 215(9) of the Air Force Act...  
14, 15 .....

*Magistrates' Courts (Appeals from Binding Over Orders) Act 1956 (4 & 5 Eliz. 2 c. 44)*

- 16 In section 1(1) of the Magistrates' Courts (Appeals from Binding...

*Sexual Offences Act 1956 (4 & 5 Eliz. 2 c. 69)*

- 17 In section 37(7) of the Sexual Offences Act 1956—  
18 In Part II of Schedule 2 to the Sexual Offences...  
19 .....

*Affiliation Proceedings Act 1957 (5 & 6 Eliz. 2 c. 55)*

- 20 In section 5(5) of the Affiliation Proceedings Act 1957 for...  
21 In section 6A of the Affiliation Proceedings Act 1957—  
22 .....

*Maintenance Orders Act 1958 (6 & 7 Eliz. 2 c. 39)*

- 23 In section 18 of the Maintenance Orders Act 1958—  
24 In section 21(1) of the Maintenance Orders Act 1958 for...

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*Adoption Act 1958 (7 Eliz. 2 c. 5)*

- 25 In section 9(2) and (4) of the Adoption Act 1958...  
 26 In section 48 of the Adoption Act 1958 for “the...

*Manoeuvres Act 1958 (7 & 8 Eliz. 2 c. 7)*

- 27 .....  
 28 .....  
 29 .....

*Street Offences Act 1959 (7 & 8 Eliz. 2 c. 57)*

- 30 In section 2(2) of the Street Offences Act 1959 for...  
 31, 32 .....  
 33, 34 .....

*Road Traffic Act 1960 (8 & 9 Eliz. 2 c. 16)*

- 35 .....

*Administration of Justice Act 1960 (8 & 9 Eliz. 2 c. 65)*

- 36 In section 13(5) of the Administration of Justice Act 1960,...

*Factories Act 1961 (9 & 10 Eliz. 2 c. 34)*

- 37 .....

*Criminal Justice Act 1961 (9 & 10 Eliz. 2 c.39)*

- 38—42 .....

*Plant Varieties and Seeds Act 1964 (c. 14)*

- 43 In section 23(2) of the Plant Varieties and Seeds Act...  
 44 In section 28 of the Plant Varieties and Seeds Act...

*Licensing Act 1964 (c. 26)*

- 45 In section 22(4) of the Licensing Act 1964 for “section...  
 46 In section 28(2) of the Licensing Act 1964 for “Section...  
 47 In section 48(3) of the Licensing Act 1964 for “section...  
 48 In section 192(2) of the Licensing Act 1964 for “section...  
 49 .....  
 50 In Schedule 6 to the Licensing Act 1964—

*Administration of Justice Act 1964 (c. 42)*

- 51 In section 38(1) of the Administration of Justice Act 1964...  
 52 .....

*Finance Act 1965 (c. 25)*

- 53 .....

*Gas Act 1965 (c. 36)*

- 54 In section 21(4) of the Gas Act 1965 for “section...

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*Backing of Warrants (Republic of Ireland) Act 1965 (c. 45)*

55 .....

*Criminal Procedure (Attendance of Witnesses) Act 1965 (c. 69)*

56 In section 8 of the Criminal Procedure (Attendance of Witnesses)...  
57—60 .....

*Criminal Law Act 1967 (c. 58)*

61 In section 2(1) of the Criminal Law Act 1967 for...

*Wireless Telegraphy Act 1967 (c. 72)*

62 In section 11(4) of the Wireless Telegraphy Act 1967 for...

*Criminal Justice Act 1967 (c. 80)*

63 In section 7 of the Criminal Justice Act 1967 for...  
64 In section 11(3) of the Criminal Justice Act 1967 for...  
65 .....

66 In section 36(2) of the Criminal Justice Act 1967 for...  
67 .....

68 In section 62(7) of the Criminal Justice Act 1967 for...  
69 In section 90(2) and (4) of the Criminal Justice Act...

*Companies Act 1967 (c. 81)*

70 In section 49(3) of the Companies Act 1967 for “section...

*Criminal Appeal Act 1968 (c. 19)*

71 In section 1 of the Criminal Appeal Act 1968—

*Firearms Act 1968 (c. 27)*

72 In section 51(4) of the Firearms Act 1968 for “section...  
73 In Part II of Schedule 6 to the Firearms Act...

*Trade Descriptions Act 1968 (c. 29)*

74 In section 19(2) and 40(1)(a) of the Trade Descriptions Act...

*Civil Evidence Act 1968 (c. 64)*

75 .....

*Medicines Act 1968 (c. 67)*

76 In section 125(1) of the Medicines Act 1968 for “section...

*Sea Fisheries Act 1968 (c. 77)*

77 In section 12(3) of the Sea Fisheries Act 1968 for...

*Children and Young Persons Act 1969 (c. 54)*

78 .....

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79	.....
80	In section 8(3) of the Children and Young Persons Act...
81	.....
82	.....
83	.....
84	.....
85	.....
86	In Schedule 4 to the Children and Young Persons Act...
87	In Schedule 5 to the Children and Young Persons Act...

*Administration of Justice Act 1970 (c. 31)*

88	In section 41(8) of the Administration of Justice Act 1970...
89	In Schedule 1 to the Administration of Justice Act 1970...

*Merchant Shipping Act 1970 (c. 36)*

90	In section 56(2) and (7) of the Merchant Shipping Act...
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*Guardianship of Minors Act 1971 (c. 3)*

91	.....
92	.....

*Vehicles (Excise) Act 1971 (c. 10)*

93	.....
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*Courts Act 1971 (c. 23)*

94	In section 7(2) of the Courts Act 1971 for “subsection...
95	In section 13 of the Courts Act 1971—
96	In section 52(5) of the Courts Act 1971 for “section...

*Attachment of Earnings Act 1971 (c. 32)*

97	In section 3 of the Attachment of Earnings Act 1971—...
98	In section 8(3) of the Attachment of Earnings Act 1971...
99	In section 17(3)(e) of the Attachment of Earnings Act 1971...
100	In section 19 of the Attachment of Earnings Act 1971—...
101	In section 25 of the Attachment of Earnings Act 1971—...

*Misuse of Drugs Act 1971 (c. 38)*

102	In section 25(4) of the Misuse of Drugs Act 1971...
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*Fire Precautions Act 1971 (c. 40)*

103	In section 26(1) of the Fire Precautions Act 1971 for...
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*Immigration Act 1971 (c. 77)*

104	In section 6(2) of the Immigration Act 1971 for “section...
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*Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

105	In section 14(3) and (6) of the Maintenance Orders (Reciprocal...
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- 106 In section 18(1) of the Maintenance Orders (Reciprocal Enforcement) Act...
- 107 In section 21(1) of the Maintenance Orders (Reciprocal Enforcement) Act...
- 108 .....
- 109 In section 38(4) and (6) of the Maintenance Orders (Reciprocal...
- 110 In section 41 of the Maintenance Orders (Reciprocal Enforcement) Act...
- 111, 112 .....

*Civil Evidence Act 1972 (c. 30)*

- 113 In section 2(8) of the Civil Evidence Act 1972 for...

*Criminal Justice Act 1972 (c. 71)*

- 114 In section 46 of the Criminal Justice Act 1972—
- 115 In section 49(1) of the Criminal Justice Act 1972 for...

*Guardianship Act 1973 (c. 29)*

- 116 .....
- 117 .....

*Fair Trading Act 1973 (c. 41)*

- 118 In section 129(2) and (4) of the Fair Trading Act...

*Powers of Criminal Courts Act 1973 (c. 62)*

- 119 .....
- 120 .....
- 121 .....
- 122 .....
- 123 .....

*Slaughterhouses Act 1974 (c. 3)*

- 124 In section 6(2) of the Slaughterhouses Act 1974 for “the...
- 125 In sections 38(6) and 43(3) of the Slaughterhouses Act 1974...
- 126— .....
- 129

*Control of Pollution Act 1974 (c. 40)*

- 130 In section 87(3) of the Control of Pollution Act 1974...

*Friendly Societies Act 1974 (c. 46)*

- 131 In section 102 of the Friendly Societies Act 1974 for...

*Solicitors Act 1974 (c. 47)*

- 132 In sections 26, 42(2) and 44(4) of the Solicitors Act...

*Insurance Companies Act 1974 (c. 49)*

- 133 .....

**Changes to legislation:** Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

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*Rehabilitation of Offenders Act 1974 (c. 53)*

134 In section 6(6)(a) of the Rehabilitation of Offenders Act 1974...

*Social Security Act 1975 (c. 14)*

135 .....

*Criminal Procedure (Scotland) Act 1975 (c. 21)*

136 In section 397(1) of the Criminal Procedure (Scotland) Act 1975...

137 In section 403 of the Criminal Procedure (Scotland) Act 1975—...

*Children Act 1975 (c. 72)*

138 In section 46(4) of the Children Act 1975 for “section...

*Prevention of Terrorism (Temporary Provisions) Act 1976 (c. 8)*

139 In section 12(3) of the Prevention of Terrorism (Temporary Provisions)...

*Restrictive Trade Practices Act 1976 (c. 34)*

140 In sections 39(2) and 41(5) and (7) of the Restrictive...

*Adoption Act 1976 (c. 36)*

141 In section 66(2) of the Adoption Act 1976 for “section...

142 In section 72(1) of the Adoption Act 1976, in the...

*Bail Act 1976 (c. 63)*

143 .....

144 .....

145 In section 4(7) of the Bail Act 1976 for “section...

146 .....

*Land Drainage Act 1976 (c.70)*

147 .....

*Sexual Offences (Amendment) Act 1976 (c. 82)*

148 In section 3(3) of the Sexual Offences (Amendment) Act 1976...

*Criminal Law Act 1977 (c. 45)*

149 In section 28(8) of the Criminal Law Act 1977 for...

150 In section 38(1) of the Criminal Law Act 1977 for...

151 In section 48(1) of the Criminal Law Act 1977 for...

152 In section 64(2) of the Criminal Law Act 1977 for...

153 In section 65(2) of the Criminal Law Act 1977 for...

154 In paragraph 1 of Schedule 5 to the Criminal Law...

155 In paragraph 1 of Schedule 14 to the Criminal Law...

*Civil Aviation Act 1978 (c. 8)*

156 .....



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*Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)*

- 157 .....
- 158 .....
- 159 In section 16(8) of the Domestic Proceedings and Magistrates' Courts...
- 160 In section 22 of the Domestic Proceedings and Magistrates' Courts...
- 161 In section 23 of the Domestic Proceedings and Magistrates' Courts...
- 162 In section 24(3) of the Domestic Proceedings and Magistrates' Courts...
- 163 In section 30(1) of the Domestic Proceedings and Magistrates' Courts...
- 164 In section 32(2) of the Domestic Proceedings and Magistrates' Courts...
- 165 .....
- 166 .....
- 167 In section 88(1) of the Domestic Proceedings and Magistrates' Courts...

*Nuclear Safeguards and Electricity (Finance) Act 1978 (c. 25)*

- 168 .....

*Interpretation Act 1978 (c. 30)*

- 169 In Schedule 1 to the Interpretation Act 1978—

*Theft Act 1978 (c. 31)*

- 170 In section 4(3)(b) of the Theft Act 1978 for “section...

*Protection of Children Act 1978 (c. 37)*

- 171 In section 6(3)(b) of the Protection of Children Act 1978...
- 172 .....
- 173 .....

*Employment Protection (Consolidation) Act 1978 (c. 44)*

- 174 .....
- 175 .....

*Customs and Excise Management Act 1979 (c. 2)*

- 176 In section 147(2) of the Customs and Excise Management Act...
- 177 In section 151 of the Customs and Excise Management Act...
- 178 In section 171(2)(a) of the Customs and Excise Management Act...

*Customs and Excise Duties (General Reliefs) Act 1979 (c. 3)*

- 179 In section 15(3)(a) of the Customs and Excise (General Reliefs)...

*Alcoholic Liquor Duties Act 1979 (c. 4)*

- 180 In section 49(1) of the Alcoholic Liquor Duties Act 1979...

*Hydrocarbon Oils Duties Act 1979 (c. 5)*

- 181 In section 27(1) of the Hydrocarbon Oils Duties Act 1979...

*Agricultural Statistics Act 1979 (c. 13)*

- 182 In section 6(1) of the Agricultural Statistics Act 1979, in...

**Changes to legislation:** Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

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*Credit Unions Act 1979 (c. 34)*

- 183 .....
- 184 .....

*Estate Agents Act 1979 (c. 38)*

- 185 .....

*Merchant Shipping Act 1979 (c. 39)*

- 186 In section 42(4) of the Merchant Shipping Act 1979 for...
- 187 In section 43(5) of the Merchant Shipping Act 1979 for...
- 188 .....
- 189 .....

*Ancient Monuments and Archeological Areas Act 1979 (c. 46)*

- 190 .....

*Justices of the Peace Act 1979 (c. 55)*

- 191 .....
- 192 .....
- 193 .....
- 194 .....
- 195 .....
- 196 .....
- 197 .....

*Isle of Man Act 1979 (c. 58)*

- 198 In section 5 of the Isle of Man Act 1979—...

*Child Care Act 1980 (c. 5)*

- 199 .....
- 200 .....

*Foster Children Act 1980 (c. 6)*

- 201 .....

*Residential Homes Act 1980 (c. 7)*

- 202 In section 4(2) of the Residential Homes Act 1980 for...

*Reserve Forces Act 1980 (c. 9)*

- 203 .....
- 204 In paragraph 2(4) of Schedule 5 to the Reserve Forces...

*Protection of Trading Interests Act 1980 (c. 11)*

- 205 .....

*Competition Act 1980 (c. 21)*

- 206 .....

**Changes to legislation:** Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

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*Companies Act 1980 (c. 22)*

207 In section 87(1) of the Companies Act 1980, in the...

SCHEDULE 8 — TRANSITIONAL PROVISIONS AND SAVINGS

*Interpretation*

1 In this Schedule references to the old enactments are to...

*Proceedings commenced before appointed day*

2 (1) Where proceedings were commenced before the appointed day, the...

*Offences committed before appointed day*

3 (1) This paragraph applies where proceedings are commenced under this...

*Other matters: general*

4 Paragraphs 5 and 6 below have effect subject to paragraphs...

5 Without prejudice to any express amendment made by this Act,...

6 Where a period of time specified in an enactment repealed...

*Saving for transitionals in orders*

7 (1) This paragraph applies where any provision of an old...

*Savings of amendments*

8 Notwithstanding the repeal by this Act of the Magistrates' Courts...

*Savings for Local Government Act 1972*

9 The provisions of this Act shall have effect without prejudice...

*Scottish saving*

10 (1) This paragraph applies to Schedule 7B to the Criminal...

SCHEDULE 9 — REPEALS

**Changes to legislation:**

Magistrates' Courts Act 1980 is up to date with all changes known to be in force on or before 19 April 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 17B heading substituted by 2022 c. 35 s. 9(2)(a)
- s. 23 heading substituted by 2022 c. 35 s. 9(4)(a)
- s. 24A heading substituted by 2022 c. 35 Sch. 2 para. 6(11)(a)
- s. 17D heading word inserted by 2022 c. 35 Sch. 2 para. 6(5)(a)
- s. 17A heading word substituted by 2022 c. 35 Sch. 2 para. 6(2)(a)
- s. 17E heading word substituted by 2022 c. 35 Sch. 2 para. 6(6)(a)
- s. 1(3) words inserted by 2003 c. 44 Sch. 36 para. 8(2)
- s. 1(4) words inserted by 2003 c. 44 Sch. 36 para. 8(3)
- s. 1(6) words inserted by 2003 c. 44 Sch. 36 para. 8(4)
- s. 5B-5D modified by 1997 c. 39 s. 9(1)
- s. 11 by 2000 c. 43 Sch. 8
- s. 11(3) by 2000 c. 43 Sch. 7 para. 59
- s. 11(5) words inserted by 2022 c. 35 Sch. 2 para. 5
- s. 12(1)(a) words omitted by 2022 c. 35 s. 4(2)
- s. 12(3) words inserted by 2022 c. 35 s. 4(4)
- s. 12(5) words omitted by 2022 c. 35 s. 4(5)(b)
- s. 12(5)(b) words substituted by 2022 c. 35 s. 4(5)(a)
- s. 12(7)(a) words substituted by 2022 c. 35 s. 4(7)
- s. 12(7)(aa) words substituted by 2022 c. 35 s. 4(7)
- s. 12(12) omitted by 2022 c. 35 s. 4(8)
- s. 12(13) omitted by 2022 c. 35 s. 4(8)
- s. 17A(7) words substituted by 2022 c. 35 Sch. 2 para. 6(2)(c)
- s. 17B(2) words substituted by 2022 c. 35 s. 9(2)(c)
- s. 17B(2)(d) words substituted by 2022 c. 35 Sch. 2 para. 6(3)(a)
- s. 17B(3) words substituted by 2022 c. 35 Sch. 2 para. 6(3)(b)
- s. 17C words substituted by 2022 c. 35 Sch. 2 para. 6(4)
- s. 17D(1)(b) word inserted by 2022 c. 35 Sch. 2 para. 6(5)(b)
- s. 17E(1) word substituted by 2022 c. 35 Sch. 2 para. 6(6)(b)
- s. 18(2) words omitted by 2022 c. 35 Sch. 2 para. 9(2)
- s. 18(3) omitted by 2022 c. 35 s. 9(3)
- s. 19(6) word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 20(5) word inserted by 2022 c. 35 Sch. 2 para. 6(8)(a)
- s. 20(6) word inserted by 2022 c. 35 Sch. 2 para. 6(8)(a)
- s. 20(7) words inserted by 2022 c. 35 Sch. 2 para. 6(8)(b)
- s. 20(8)(b) word inserted by 2022 c. 35 Sch. 2 para. 6(8)(a)
- s. 20(9)(b) word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 21 word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 22(3)-(6) omitted by 2022 c. 35 Sch. 2 para. 6(9)(b)
- s. 22A(1) words inserted by 2022 c. 35 s. 6(3)(a)
- s. 22A(2) words substituted by 2022 c. 35 s. 6(3)(c)(i)
- s. 22A(2)(a) omitted by 2022 c. 35 s. 6(3)(c)(ii)
- s. 22A(2)(b) word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 23(3) omitted by 2022 c. 35 Sch. 2 para. 6(10)
- s. 23(4) words inserted by 2022 c. 35 s. 9(4)(c)
- s. 23(4)(b) word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 23(5) word substituted by 2022 c. 35 Sch. 2 para. 10(2)
- s. 24(1) words substituted by 2022 c. 35 Sch. 2 para. 9(3)
- s. 24A(1)(b) substituted by 2022 c. 35 Sch. 2 para. 10(3)
- s. 24A(2) words inserted by 2022 c. 35 Sch. 2 para. 9(4)
- s. 24C(1) words substituted by 2022 c. 35 Sch. 2 para. 9(5)

- s. 25(2D) word substituted by [2022 c. 35 Sch. 2 para. 10\(2\)](#)
- s. 27A(1) substituted for s. 27A(1)(2) by [2022 c. 35 Sch. 2 para. 6\(12\)](#)
- s. 33(1)(a) words substituted by [2003 c. 44 Sch. 32 para. 27](#)
- s. 33(1)(b) and word repealed by [2003 c. 44 Sch. 3 para. 13](#)[Sch. 37 Pt. 4](#)
- s. 69(2)-(6) repealed by [2010 c. 26 Sch. 3 para. 6](#)[Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) and [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 69(7) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 71 repealed by [2010 c. 26 Sch. 3 para. 7](#)[Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) and [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 77 by [2000 c. 43 Sch. 8](#)
- s. 77(2) by [2000 c. 43 Sch. 7 para. 62](#)
- s. 81(3)(a) substituted by [2008 c. 4 Sch. 26 para. 1](#)
- s. 82 by [2000 c. 43 Sch. 8](#)
- s. 82(4A)(e) and word repealed by [2003 c. 44 Sch. 37 Pt. 7](#)
- s. 84(3) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 85(2A) words substituted by [2003 c. 44 Sch. 32 para. 28](#)
- s. 88(4)(5) by [2000 c. 43 Sch. 7 para. 64\(a\)\(b\)](#)
- s. 89(2A) words substituted by [2009 c. 24 Sch. 2 para. 1](#)
- s. 90(3A) words substituted by [2009 c. 24 Sch. 2 para. 1](#)
- s. 96A by [2000 c. 43 Sch. 7 para. 65](#)
- s. 96A by [2000 c. 43 Sch. 8](#)
- s. 97 restricted by [2021 c. 17 s. 28\(8\)\(b\)](#)
- s. 127 excluded by [2019 c. 9 s. 13\(2\)](#)
- s. 127(1) excluded by [2011 nawm 3 Sch. 1 para. 2\(1\)](#)
- s. 133 by [2000 c. 43 Sch. 8](#)
- s. 133(1)(2A) by [2000 c. 43 Sch. 7 para. 66\(a\)\(b\)](#)
- s. 133(1) words substituted by [2003 c. 44 s. 155\(1\)\(2\)](#)
- s. 133(2) repealed by [2003 c. 44 s. 155\(1\)\(3\)](#)[Sch. 37 Pt. 7](#)
- s. 133(3) words substituted by [2003 c. 44 s. 155\(1\)\(4\)](#)
- s. 135 by [2000 c. 43 Sch. 8](#)
- s. 135(3) by [2000 c. 43 Sch. 7 para. 67](#)
- s. 136 by [2000 c. 43 Sch. 8](#)
- s. 136(4) by [2000 c. 43 Sch. 7 para. 68](#)
- s. 139(c) words inserted by [2013 c. 22 s. 26\(5\)](#)
- s. 145(1)(ga) repealed by [2010 c. 26 Sch. 4 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 4 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 145(1)(ga) words substituted by [2010 c. 26 Sch. 3 para. 8\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; [S.I. 2013/2200 art. 2\(a\)](#))
- s. 150(1) words inserted by [2003 c. 44 Sch. 36 para. 9](#)
- s. 150(1) words omitted by [2015 c. 2 Sch. 11 para. 6\(a\)](#)
- Sch. 3 applied by [2013 c. 15 s. 11\(4\)\(b\)\(i\)](#)
- Sch. 3 applied by [S.I. 2020/733 reg. 52\(3\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). Regulations revoked prospectively by [S.I. 2020/1278, regs. 1\(2\), 66\(4\)](#))
- Sch. 3 applied by [S.I. 2021/1404 reg. 34\(3\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. Although it was debated, it was not approved by resolutions of both Houses within the required timeframe, so it has expired with no effect. See the Twelfth Report of Session 2022-23 of the Joint Committee on Statutory Instruments)
- Sch. 6A by [2000 c. 43 Sch. 8](#)

- Sch. 6A words inserted by 2007 c. 15 s. 107(2)
- Sch. 7 para. 159 repealed by 1996 c. 27 Sch. 10

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by 2017 anaw 2 Sch. 3 para. 18(5)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 1(6A) inserted by 2003 c. 44 Sch. 36 para. 8(5)
- s. 1(6A) words substituted by 2015 c. 2 Sch. 11 para. 3(4) (Effect not applied as (6A) was only inserted prospectively.)
- s. 1(7A) inserted by 2003 c. 44 Sch. 36 para. 8(6)
- s. 12(2A) inserted by 2022 c. 35 s. 4(3)
- s. 12(5A)-(5F) inserted by 2022 c. 35 s. 4(6)
- s. 17A(1A) inserted by 2022 c. 35 Sch. 2 para. 6(2)(b)
- s. 17B(1A)-(1F) substituted for s. 17B(1) by 2022 c. 35 s. 9(2)(b)
- s. 17B(5) inserted by 2022 c. 35 s. 9(2)(d)
- s. 17BA inserted by 2022 c. 35 s. 7
- s. 17ZA-17ZC inserted by 2022 c. 35 s. 6(2)
- s. 18(1)-(1B) substituted for s. 18(1) by 2022 c. 35 Sch. 2 para. 6(7)(a)
- s. 18(4A)(4B) inserted by 2022 c. 35 Sch. 2 para. 6(7)(b)
- s. 18(6) inserted by 2022 c. 35 Sch. 2 para. 6(7)(c)
- s. 20(7A)(7B) inserted by 2022 c. 35 Sch. 2 para. 6(8)(c)
- s. 22(2A)-(2E) inserted by 2022 c. 35 Sch. 2 para. 6(9)(a)
- s. 22A(1A)-(1E) inserted by 2022 c. 35 s. 6(3)(b)
- s. 23(1A)-(1G) substituted for s. 23(1) by 2022 c. 35 s. 9(4)(b)
- s. 23(4A)(4B) inserted by 2022 c. 35 s. 9(4)(d)
- s. 24A(1A) inserted by 2022 c. 35 Sch. 2 para. 6(11)(b)
- s. 24BA inserted by 2022 c. 35 s. 9(5)
- s. 24ZA24ZB inserted by 2022 c. 35 s. 8
- s. 75A inserted by 2013 c. 22 s. 26(1)
- s. 85(5) inserted by 2013 c. 22 s. 26(4)
- s. 139A inserted by 2013 c. 22 s. 26(6)
- s. 145(1A) inserted by 2010 c. 26 Sch. 3 para. 8(3) (This amendment not applied to legislation.gov.uk. Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by 2013 c. 22, s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 145(1A) repealed by 2010 c. 26 Sch. 4 Pt. 2 (This amendment not applied to legislation.gov.uk. Sch. 4 Pt. 2 repealed (4.9.2013) without ever being in force by 2013 c. 22, s. 17(4) ; S.I. 2013/2200 art. 2(a))
- Sch. 6A (entry) by 2000 c. 43 Sch. 7 para. 69