

Changes to legislation: Magistrates' Courts Act 1980, SCHEDULE 1 is up to date with all changes known to be in force on or before 20 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

SCHEDULES

SCHEDULE 1

Section 17.

OFFENCES TRIABLE EITHER WAY BY VIRTUE OF SECTION 17

1 Offences at common law of public nuisance.

[^{F1}1A An offence at common law of outraging public decency.]

Textual Amendments

F1 Sch. 1 para. 1A inserted (20.1.2004) by Criminal Justice Act 2003 (c. 44), ss. 320, 336; S.I. 2004/81, art. 2(2)(d)

2 ^{F2}

Textual Amendments

F2 Sch. 1 para. 2 repealed (21.7.2008) by Statute Law (Repeals) Act 2008 (c. 12), s. 1(1), Sch. 1 Pt. 3

3 Offences consisting in contravention of section 13 of the ^{M1}Statutory Declarations Act 1835 (administration by a person of an oath etc. touching matters in which he has no jurisdiction).

Marginal Citations

M1 1835 c. 62.

4 Offences under section 36 of the ^{M2}Malicious Damage Act 1861 (obstructing engines or carriages on railways).

Marginal Citations

M2 1861 c. 97.

5 Offences under the following provisions of the Offences against the ^{M3}Person Act 1861—

- (a) section 16 (threats to kill);
- (b) section 20 (inflicting bodily injury, with or without a weapon);
- (c) section 26 (not providing apprentices or servants with food etc.);
- (d) section 27 (abandoning or exposing child);
- (e) section 34 (doing or omitting to do anything so as to endanger railway passengers);
- (f) section 36 (assaulting a clergyman at a place of worship etc.);
- (g) section 38 (assault with intent to resist apprehension);

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- (h) section 47 (assault occasioning bodily harm. . . ^{F3});
- (i) section 57 (bigamy);
- (j) section 60 (concealing the birth of a child).

Textual Amendments

F3 Words repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(2), Sch. 8 para. 16, **Sch. 16**

Marginal Citations

M3 [1861 c. 100](#).

- 6 Offences under section 20 of the ^{M4}Telegraph Act 1868 (disclosing or intercepting messages).

Marginal Citations

M4 [1868 c. 110](#).

- 7 Offences under section 13 of the ^{M5}Debtors Act 1869 (transactions intended to defraud creditors).

Marginal Citations

M5 [1869 c. 62](#).

- 8 Offences under section 5 of the ^{M6}Public Stores Act 1875 (obliteration of marks with intent to conceal).

Marginal Citations

M6 [1875 c. 25](#).

- 9 Offences under section 12 of the ^{M7}Corn Returns Act 1882 (false returns).

Marginal Citations

M7 [1882 c. 37](#).

- 10 ^{F4}

Textual Amendments

F4 [Sch. 1 para. 10](#) repealed by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 112(4), Sch. 17 para. 35(1), **Sch. 18**

- 11 Offences under section 3 of the ^{M8}Submarine Telegraph Act 1885 (damaging submarine cables).

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Marginal Citations

M8 1885 c. 49.

12 Offences under section 13 of the ^{M9}Stamp Duties Management Act 1891 (offences in relation to dies and stamps).

Marginal Citations

M9 1891 c. 38.

13 Offences under section 8(2) of the ^{M10}Cremation Act 1902 (making false representations etc. with a view to procuring the burning of any human remains).

Marginal Citations

M10 1902 c. 8.

14 All offences under the ^{M11}Perjury Act 1911 except offences under—
(a) section 1 (perjury in judicial proceedings);
(b) section 3 (false statements etc. with reference to marriage);
(c) section 4 (false statements etc. as to births or deaths).

Marginal Citations

M11 1911 c. 6.

15 ^{F5}

Textual Amendments

F5 Sch. 1 para. 15 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**

^{F6}16

Textual Amendments

F6 Sch. 1 para. 16 omitted (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 6 para. 2(8)** (with Sch. 6 para. 3); S.I. 2015/1732, art. 2(e)(i)

17 ^{F7}

Textual Amendments

F7 Sch. 1 para. 17 repealed by Wages Act 1986 (c. 48, SIF 43:2), s. 32(2), **Sch. 5 Pt. III**

18 Offences under section 8(2) of the ^{M12}Census Act 1920 (disclosing census information).

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Marginal Citations
M12 1920 c. 41.

19 Offences under section 36 of the ^{M13}Criminal Justice Act 1925 (forgery of passports etc.).

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Marginal Citations
M13 1925 c. 86.

20 Offences under section 11 of the ^{M14}Agricultural Credits Act 1928 (frauds by farmers).

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Marginal Citations
M14 1928 c. 43.

21 F8

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Textual Amendments
F8 Sch. 1 para. 21, 24 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. 1

F922

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Textual Amendments
F9 Sch. 1 para. 22 repealed (26.3.2001) by S.I. 2001/1149, art. 3(2), Sch. 2 (with art. 4(11))

23 F10

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Textual Amendments
F10 Sch. 1 para. 23 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 7; S.I. 2004/874, art. 2

24 F11

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Textual Amendments
F11 Sch. 1 para. 21, 24 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. 1

25 F12

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Textual Amendments

F12 Sch. 1 para. 25 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 3, 5(2), Sch. 1 Pt. I, Sch. 4

- 26 The following offences under the ^{M15}Criminal Law Act 1967—
- (a) offences under section 4(1) (assisting offenders); and
 - (b) offences under section 5(1) (concealing arrestable offences and giving false information),
- where the offence to which they relate is triable either way.

Marginal Citations

M15 1967 c. 58.

- 27 ^{F13}

Textual Amendments

F13 Sch. 1 para. 27 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 7; S.I. 2004/874, art. 2

- 28 All indictable offences under the ^{M16}Theft Act 1968 except:—
- (a) robbery, aggravated burglary, blackmail and assault with intent to rob;
 - (b) burglary comprising the commission of, or an intention to commit, an offence which is triable only on indictment;
 - (c) burglary in a dwelling if any person in the dwelling was subjected to violence or the threat of violence.

Marginal Citations

M16 1968 c. 60.

- 29 Offences under the following provisions of the ^{M17}Criminal Damage Act 1971—
- section 1(1) (destroying or damaging property);
 - section 1(1) and (3) (arson);
 - section 2 (threats to destroy or damage property);
 - section 3 (possessing anything with intent to destroy or damage property).

Marginal Citations

M17 1971 c. 48.

- 30 Offences in relation to stamps issued for the purpose of national insurance under the provisions of any enactments as applied to those stamps.
- 31 Uttering any forged document the forgery of which is an offence listed in this Schedule.

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32 F14

Textual Amendments
F14 Sch. 1 para. 32 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 140, 141, Sch. 7; S.I. 2004/874, art. 2

33 Aiding, abetting, counselling or procuring the commission of any offence listed in the preceding paragraphs of this Schedule except paragraph 26.

34 F15

Textual Amendments
F15 Sch. 1 para. 34 repealed by Criminal Attempts Act 1981 (c. 47, SIF 39:1), s. 10, Sch. Pt. I

35 F16

Textual Amendments
F16 Sch. 1 para. 35 repealed (1.10.2008) by Serious Crime Act 2007 (c. 27), ss. 63(1)(2), 92, 94, Sch. 6 para. 55(4), Sch. 14 (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)(i)(ii)(g)

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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](#)