



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Interpretation

150 Interpretation of other terms.

(1) In this Act, unless the context otherwise requires, the following expressions have the meaning hereby assigned to them, that is to say—

“Act” includes local Act;

^{F1}

“bail in criminal proceedings” has the same meaning as in the ^{M1}Bail Act 1976;

[^{F2}“collection order” means an order made under Part 4 of Schedule 5 to the Courts Act 2003;]

^{F3}

“commit to custody” means commit to prison or, where any enactment authorises or requires committal to some other place of detention instead of committal to prison, to that other place;

[^{F4}“committal proceedings” means proceedings before a magistrates' court acting as examining justices;]

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^{F5}

“enactment” includes an enactment contained in a local Act or in any order, regulation or other instrument having effect by virtue of an Act;

“fine”, except for the purposes of [^{F6}sections 16G to 16M and of] any enactment imposing a limit on the amount of any fine, includes any pecuniary penalty or pecuniary forfeiture or pecuniary compensation payable under a conviction;

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[^{F7}“the fines officer”, in relation to a person subject to a collection order, means any fines officer working at the fines office specified in that order;]

“impose imprisonment” means pass a sentence of imprisonment or fix a term of imprisonment for failure to pay any sum of money, or for want of sufficient [^{F8}goods] to satisfy any sum of money, or for failure to do or abstain from doing anything required to be done or left undone;

[^{F9}“legal representative” means [^{F10}a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to an activity which constitutes the exercise of a right of audience or the conduct of litigation (within the meaning of that Act);]

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“prescribed” means prescribed by [^{F14}rules of court];

[^{F15}“preserved county” has the meaning given by section 64 of the Local Government (Wales) Act 1994;]

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^{F17}

[^{F18}“relevant prosecutor” has the meaning given by section 29 of the Criminal Justice Act 2003;]

[^{F18}“requisition” has the meaning given by section 29 of the Criminal Justice Act 2003;]

“sentence” does not include a committal in default of payment of any sum of money, or for want of sufficient [^{F8}goods] to satisfy any sum of money, or for failure to do or abstain from doing anything required to be done or left undone;

[^{F18}“single justice procedure notice” has the meaning given by section 29 of the Criminal Justice Act 2003;]

“sum enforceable as a civil debt” means—

- (a) any sum recoverable summarily as a civil debt which is adjudged to be paid by the order of a magistrates' court;
- (b) any other sum expressed by this or any other Act to be so enforceable;

“transfer of fine order” has the meaning assigned to it by section 89 above.

[^{F18}“written charge” has the meaning given by section 29 of the Criminal Justice Act 2003;]

(2) Except where the contrary is expressed or implied, anything required or authorised by this Act to be done by justices may, where two or more justices are present, be done by one of them on behalf of the others.

(3) Any reference in this Act to a sum adjudged to be paid by a conviction or order of a magistrates' court shall be construed as including a reference to any costs, damages or compensation adjudged to be paid by the conviction or order of which the amount is ascertained by the conviction or order; but this subsection does not prejudice the definition of “sum adjudged to be paid by a conviction” contained in subsection (8) of section 81 above for the purposes of that section.

[^{F19}(3A) References in this Act to want of sufficient goods to satisfy a fine or other sum of money have the meaning given by section 79(4).]

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- (4) Where the age of any person at any time is material for the purposes of any provision of this Act regulating the powers of a magistrates' court, his age at the material time shall be deemed to be or to have been that which appears to the court after considering any available evidence to be or to have been his age at that time.
- (5) Except where the context otherwise requires, any reference in this Act to an offence shall be construed as including a reference to an alleged offence; and any reference in this Act to an offence committed, completed or begun anywhere shall be construed as including a reference to an offence alleged to have been committed, completed or begun there.
- (6) References in this Act to an offence punishable with imprisonment or punishable on summary conviction with imprisonment shall be construed without regard to any prohibition or restriction imposed by or under this or any other Act on imprisonment of young offenders.
- (7) The provisions of this Act authorising a magistrates' court on conviction of an offender to pass a sentence or make an order instead of dealing with him in any other way shall not be construed as taking away any power to order him to pay costs, damages or compensation.

Textual Amendments

- F1** Definition of "affiliation order" repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), ss. 33(1)(2)(4), [Sch. 2 para. 88\(a\)](#), Sch. 3 paras. 1, 6, Sch. 4
- F2** Definition of "collection order" inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 53\(a\)](#)
- F3** S. 150(1): definition of "commission area" repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), [Sch. 15 Pt. V\(1\)](#) (with s. 107, [Sch. 14 paras. 7\(2\), 36\(9\)](#))
- F4** Words in s. 150(1) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 51\(11\)](#), [Sch. 37 Pt. 4](#); S.I. 2012/1320, [art. 4\(1\)\(c\)\(d\)\(2\)\(3\)](#) (with [art. 5](#)) (see S.I. 2012/2574, [art. 4\(2\)](#) and S.I. 2013/1103, [art. 4](#)); S.I. 2012/2574, [art. 2\(2\)\(3\)\(c\)\(d\)](#), [Sch. \(with arts. 3, 4\)](#) (as amended (4.11.2012) by S.I. 2012/2761, [art. 2](#)) (with S.I. 2013/1103, [art. 4](#)); S.I. 2013/1103, [art. 2\(1\)\(c\)\(2\)\(3\)](#) (with arts. 3, 4)
- F5** Words in s. 150(1) repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 99](#) Table; S.I. 2014/954, [art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Words in s. 150(1) inserted (7.11.2023) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(4), [Sch. 2 para. 1\(6\)](#); S.I. 2023/1194, [reg. 2\(e\)](#)
- F7** Definition of "the fines officer" inserted (3.7.2006) by [The Collection of Fines \(Final Scheme\) Order 2006 \(S.I. 2006/1737\)](#), [art. 53\(b\)](#)
- F8** Words in s. 150(1) substituted (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 13 para. 63\(2\)](#) (with s. 89); S.I. 2014/768, [art. 2\(1\)\(b\)](#)
- F9** Definition of "legal representative" inserted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37, 82\)](#), s. 125(3), [Sch. 18 para. 25\(2\)](#)
- F10** Words in s. 150(1) substituted (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), s. 211(2), [Sch. 21 para. 44](#) (with ss. 29, 192, 193); S.I. 2009/3250, [art. 2\(h\)](#)
- F11** S. 150(1): definition of "London commission area" repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), [Sch. 15 Pt. V\(1\)](#) (with s. 107, [Sch. 14 paras. 7\(2\), 36\(9\)](#))
- F12** S. 150(1): definition of "petty-sessional court-house" repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(1)(3), 110, [Sch. 8 para. 250\(2\)](#), [Sch. 10](#); S.I. 2005/910, [art. 3\(y\)\(aa\)](#)

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- F13** S. 150(1): definition of "petty sessions area" repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(3), **Sch. 15 Pt. V(1)** (with s. 107, **Sch. 14** paras. 7(2), 36(9))
- F14** S. 150(1): words in the definition of "prescribed" substituted (1.9.2004) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 250(3)**; S.I. 2004/2066, **art. 2(c)(xi)** (subject to art. 3)
- F15** Definition in s. 150(1) inserted (1.4.1996) by 1994 c. 19, s. 1(3), **Sch. 2 para. 11(4)**(with ss. 54(5)(7), 55(5)); S.I. 1995/3198, **art. 3, Sch. 1**; (in which definition words are repealed (1.4.1996) by virtue of S.I. 1996/675, **art. 2, Sch. Pt. I para. 2(7)**)
- F16** S. 150(1): definition of "the register" repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, **Sch. 8 para. 250(2), Sch. 10**; S.I. 2005/910, **art. 3(y)(aa)**
- F17** S. 150(1): definition of "the rules" repealed (1.9.2004) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, **Sch. 8 para. 250(2), Sch. 10**; S.I. 2004/2066, **art. 2(c)(xi)(d)(iv)** (subject to art 3)
- F18** Words in s. 150(1) inserted (13.4.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 11 para. 6(b)**; S.I. 2015/778, **art. 3, Sch. 1 para. 77**
- F19** S. 150(3A) inserted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 63(3)** (with s. 89); S.I. 2014/768, **art. 2(1)(b)**

Modifications etc. (not altering text)

- C1** S. 150(1) extended (3.4.2000) by 1999 c. 33, **s. 113(6)**; S.I. 2000/464, **art. 2, Sch.**
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Marginal Citations

- M1** 1976 c. 63

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Changes and effects yet to be applied to :

- 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)

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