



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART VI

#### MAGISTRATES' COURTS

#### **51 Summons to witness and warrant for his arrest.**

(1) In section 97 of the Magistrates' Courts Act 1980 (summons to witness and warrant for his arrest) the following subsections shall be inserted after subsection (2A)—

“(2B) A justice may refuse to issue a summons under subsection (1) above in relation to the summary trial of an information if he is not satisfied that an application for the summons was made by a party to the case as soon as reasonably practicable after the accused pleaded not guilty.

(2C) In relation to the summary trial of an information, subsection (2) above shall have effect as if the reference to the matters mentioned in subsection (1) above included a reference to the matter mentioned in subsection (2B) above.”

(2) This section applies in relation to any proceedings for the purpose of which no summons has been issued under section 97(1), and no warrant has been issued under section 97(2), before the appointed day.

(3) The reference in subsection (2) to the appointed day is to such day as is appointed for the purposes of this section by the Secretary of State by order.

#### **Subordinate Legislation Made**

**P1** [S. 51\(3\)](#) power wholly exercised (8.3.1997): 1.4.1997 appointed day by [S.I. 1997/682](#).

**Changes to legislation:**

Criminal Procedure and Investigations Act 1996, Section 51 is up to date with all changes known to be in force on or before 23 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 the whole Act associated Parts and Chapters:**

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

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)