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**Changes to legislation:** Criminal Justice Act 2003, Paragraph 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. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 3

#### ALLOCATION OF CASES TRIABLE EITHER WAY, AND SENDING CASES TO THE CROWN COURT ETC

#### PART 2

##### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Magistrates' Courts Act 1980 (c. 43)*

- 51 (1) The Magistrates' Courts Act 1980 is amended as follows.
- (2) In section 2, as substituted by the Courts Act 2003 (trial of summary offences), in subsection (2), for “as examining justices over” there is substituted “under sections 51 and 51A of the Crime and Disorder Act 1998 in respect of”.
- (3) Sections 4 to 8 (which relate to committal proceedings) shall cease to have effect and the cross-heading preceding section 4 is omitted.
- (4) In section 8B, as inserted by the Courts Act 2003 (effect of rulings at pre-trial hearing), in subsection (6), the words “commits or” are omitted.
- (5) In section 29 (power of magistrates' court to remit a person under 17 for trial to a juvenile court in certain circumstances), in subsection (2)(b)(i), for the words from “proceeds” to the end there is substituted “sends him to the Crown Court for trial under section 51 or 51A of the Crime and Disorder Act 1998; and”.
- (6) The following sections shall cease to have effect—
- (a) section 97A (summons or warrant as to committal proceedings),
  - (b) section 103 (evidence of persons under 14 in committal proceedings for assault, sexual offences etc), and
  - (c) section 106 (false written statements tendered in evidence).
- (7) In section 128 (remand in custody or on bail)—
- (a) in subsection (1)(b), the words “inquiring into or” are omitted,
  - (b) in subsection (1A)(a)—
    - (i) “5,” is omitted, and
    - (ii) for “or 18(4)” there is substituted “ , 18(4) or 24C ”,
  - (c) in subsection (3A)—
    - (i) “5,” is omitted, and
    - (ii) for “or 18(4)” there is substituted “ , 18(4) or 24C ”,
  - (d) in subsection (3C)(a)—
    - (i) “5,” is omitted, and
    - (ii) for “or 18(4)” there is substituted “ , 18(4) or 24C ”, and

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- (e) in subsection (3E)(a)—
  - (i) “5,” is omitted, and
  - (ii) for “or 18(4)” there is substituted “ , 18(4) or 24C ”.
- (8) In section 129 (further remand), in subsection (4)—
  - (a) for “commits a person” there is substituted “ sends a person to the Crown Court ”, and
  - (b) for “committed” there is substituted “ sent ”.
- (9) In section 130 (transfer of remand hearings), in subsection (1)—
  - (a) “5,” is omitted, and
  - (b) for “or 18(4)” there is substituted “ , 18(4) or 24C ”.
- (10) In section 145 (rules: supplementary provisions), in subsection (1), paragraph (f) is omitted.
- (11) In section 150 (interpretation of other terms), in subsection (1), the definition of “committal proceedings” is omitted.
- (12) In section 155 (short title, extent and commencement), in subsection (2)(a), the words “8 (except subsection (9))” are omitted.
- (13) In Schedule 3 (corporations)—
  - (a) in paragraph 2, sub-paragraph (a) is omitted,
  - (b) in paragraph 6, for “inquiry into, and trial of,” there is substituted “ trial of”.
- (14) In Schedule 5 (transfer of remand hearings)—
  - (a) paragraph 2 is omitted, and
  - (b) in paragraph 5, for “5, 10 or 18(4)” there is substituted “ 10, 17C, 18(4) or 24C ”.

#### **Commencement Information**

- I1** Sch. 3 para. 51 partly in force; Sch. 3 para. 51 not in force at Royal Assent, see s. 336(3); Sch. 3 para. 51(1)(2)(5)(8) in force for certain purposes at 9.5.2005 by [S.I. 2005/1267](#), **art. 2**, [Sch. para. 1\(1\)\(i\)](#); Sch. 3 para. 51 in force at 18.6.2012 for specified purposes by [S.I. 2012/1320](#), **art. 4(1)(c)(2)(3)** (with [art. 5](#)) (see [S.I. 2012/2574](#), [art. 4\(2\)](#) and [S.I. 2013/1103](#), [art. 4](#))
- I2** Sch. 3 para. 51 in force at 5.11.2012 for specified purposes by [S.I. 2012/2574](#), [art. 2\(1\)\(c\)\(2\)\(3\)](#), **Sch.** (with [arts. 3, 4](#)) (as amended (4.11.2012) by [S.I. 2012/2761](#), **art. 2**) (with [S.I. 2013/1103](#), **art. 4**)
- I3** Sch. 3 para. 51 in force at 28.5.2013 for specified purposes by [S.I. 2013/1103](#), **art. 2(1)(c)(2)(3)** (with [arts. 3, 4](#))

**Changes to legislation:**

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

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

**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. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)