

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Cross Heading: Magistrates' Courts Act 1980 (c. 43). (See end of Document for details)

SCHEDULES

SCHEDULE 11

TRIAL BY SINGLE JUSTICE ON THE PAPERS: FURTHER AMENDMENTS

Magistrates' Courts Act 1980 (c. 43)

2 The Magistrates' Courts Act 1980 is amended as follows.

Commencement Information

II Sch. 11 para. 2 in force at 13.4.2015 by [S.I. 2015/778](#), [art. 3](#), [Sch. 1 para. 77](#)

- 3 (1) Section 1 (issue of summons to accused etc) is amended as follows.
- (2) In subsection (4A), for “public prosecutor” substitute “ relevant prosecutor authorised to issue requisitions ”.
- (3) Omit subsection (4B).
- (4) In subsection (6A), for “public prosecutor” substitute “ relevant prosecutor ”.

Commencement Information

I2 Sch. 11 para. 3 in force at 13.4.2015 by [S.I. 2015/778](#), [art. 3](#), [Sch. 1 para. 77](#)

- 4 In section 11 (non-appearance of accused: general provisions), after subsection (5) insert—
- “(5A) Subsection (4) does not apply in relation to proceedings adjourned under section 16C(3)(a) because of section 16C(2) (adjournment of a section 16A trial because the accused indicates a wish to make representations).”

Commencement Information

I3 Sch. 11 para. 4 in force at 13.4.2015 by [S.I. 2015/778](#), [art. 3](#), [Sch. 1 para. 77](#)

- 5 In section 123 (defect in process), after subsection (2) insert—
- “(3) In the application of this section to proceedings conducted in accordance with section 16A—
- (a) a reference in subsection (1) or (2) to evidence adduced on behalf of the prosecutor at a hearing is to be read as a reference to evidence placed before the court on behalf of the prosecutor, and
- (b) subsection (2) is to be read as if for the words from “has been misled” to the end there were substituted “ is likely to have been misled by

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the variance, the court shall treat the written charge as not being appropriate for trial in accordance with section 16A ”.”

Commencement Information

I4 Sch. 11 para. 5 in force at 13.4.2015 by [S.I. 2015/778](#), art. 3, [Sch. 1 para. 77](#)

- 6 In section 150(1) (interpretation of other terms)—
- (a) omit the entry for “public prosecutor”, “requisition” and “written charge”, and
 - (b) at the appropriate places insert—
 - ““relevant prosecutor” has the meaning given by section 29 of the Criminal Justice Act 2003;”,
 - ““requisition” has the meaning given by section 29 of the Criminal Justice Act 2003;”,
 - ““single justice procedure notice” has the meaning given by section 29 of the Criminal Justice Act 2003;”, and
 - ““written charge” has the meaning given by section 29 of the Criminal Justice Act 2003;”.

Commencement Information

I5 Sch. 11 para. 6 in force at 13.4.2015 by [S.I. 2015/778](#), art. 3, [Sch. 1 para. 77](#)

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