



Criminal Justice Act 1925

1925 CHAPTER 86 15 and 16 Geo 5

PART II

JURISDICTION AND PROCEDURE

Indictable Offences generally

- 11** (1) F1
F2(3)
(4) F1

Textual Amendments

- F1** S. 11(1)(2)(4) repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)
F2 S. 11(3) repealed (19.11.1998) by [1998 c. 43, s. 1\(1\)](#), [Sch. 1 Pt. VIII](#)

- 12** F3

Textual Amendments

- F3** S. 12 repealed by [Criminal Justice Act 1982 \(c. 48\)](#), s. 170, [Sch. 16](#)

- 13** (1) F4
F5(3)
(4) F6

Status: Point in time view as at 01/08/2009.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1925, Part II. (See end of Document for details)

(5) F7

Textual Amendments

- F4 S. 13(1)(2) Repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**
- F5 S. 13(3) repealed (4.7.1996 but with effect (8.3.1997) as mentioned in Sch. 2 para. 7) by [1996 c. 25](#), ss. 68, 80, Sch. 2, paras. 6(1), 7, **Sch. 5 para. 11**; S.I. 1997/683, **art. 1(2)**
- F6 S. 13(4) repealed by [Administration of Justice \(Miscellaneous Provisions\) Act 1933 \(c. 36\)](#), **Sch. 3**
- F7 S. 13(5) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**

Modifications etc. (not altering text)

- C1 S. 13(3) excluded by [Criminal Appeal Act 1968 \(c. 19\)](#), s. 8(4), **Sch. 2 para. 1**

14 F8

Textual Amendments

- F8 S. 14 repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

15 F9

Textual Amendments

- F9 S. 15 repealed by [Criminal Justice Act 1965 \(c. 26\)](#), **s. 2(4)**

16 F10

Textual Amendments

- F10 S. 16 repealed by [Administration of Justice Act 1960 \(c. 65\)](#), **Sch. 4**

17 F11

Textual Amendments

- F11 S. 17 repealed by [Justices of the Peace Act 1949 \(c. 101\)](#), **Sch. 7 Pt. II**

18 F12

Status: Point in time view as at 01/08/2009.

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Textual Amendments

F12 S. 18 repealed by [Criminal Law Act 1967 \(c. 58\)](#), **Sch. 3 Pt. II**

19 **F13**

Textual Amendments

F13 S. 19 repealed by [Administration of Justice \(Miscellaneous Provisions\) Act 1933 \(c. 36\)](#), **Sch. 3**

20 **F14**

Textual Amendments

F14 S. 20 repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

21 **F15**

Textual Amendments

F15 S. 21 repealed by [Summary Jurisdiction \(Appeals\) Acts 1933 \(c. 38\)](#), **Sch.**

22 **F16**

Textual Amendments

F16 S. 22 repealed by [Criminal Justice Administration Act 1962 \(c. 15\)](#), **Sch. 5 Pt. II**

23 **F17**

Textual Amendments

F17 S. 23 repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**

Summary Jurisdiction

24 **F18**

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Textual Amendments

F18 S. 24 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**

25 **F19**

Textual Amendments

F19 S. 25 repealed by [Criminal Justice Act 1948 \(c. 58\)](#), **Sch. 10 Pt. I**

26, 27. **F20**

Textual Amendments

F20 Ss. 26, 27 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**

28 Summary proceedings for offence under s. 3, and amendments of ss. 3 and 4, of Perjury Act, 1911.

- (1) Section three of the Perjury Act, 1911 (which relates to false statements as to marriages) shall have effect as though at the end of subsection (1) thereof there were inserted the words “and on summary conviction thereof shall be liable to a penalty not exceeding fifty pounds”.
- (2) A person convicted summarily of an offence under section four of the Perjury Act, 1911 (which relates to false statements as to births or deaths), shall be liable to a penalty not exceeding fifty pounds.
- (3) **F21**

Textual Amendments

F21 S. 28(3) repealed by [Criminal Law Act 1977 \(c. 45\)](#), s. 65(7), **Sch. 13**

Modifications etc. (not altering text)

C2 The text of s. 28(1)(2), (S. 28 (2) now spent), is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

29 **F22**

Textual Amendments

F22 S. 29 repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**

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30 F23

Textual Amendments

F23 S. 30 repealed by Statute Law Revision Act 1950 (c. 6), Sch. 1

31 F24

Textual Amendments

F24 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

Miscellaneous

32 F25

Textual Amendments

F25 Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

33 Procedure on charge of offence against corporation.

(1) F26

(3) [^{F27}On arraignment of a corporation, the corporation may], enter in writing by its representative a plea of guilty or not guilty, and if either the corporation does not appear by a representative or, though it does so appear, fails to enter as aforesaid any plea, the court shall order a plea of not guilty to be entered and the trial shall proceed as though the corporation had duly entered a plea of not guilty.

(4) Provision may be made by rules under the ^{M1}Indictments Act 1915 with respect to the service on any corporation charged with an indictable offence of any documents requiring to be served in connection with the proceedings^{F28}....

(5) F26

(6) In this section the expression “representative” in relation to a corporation means a person duly appointed by the corporation to represent it for the purpose of doing any act or thing which the representative of a corporation is by this section authorized to do, but a person so appointed shall not, by virtue only of being so appointed, be qualified to act on behalf of the corporation before any court for any other purpose.

A representative for the purposes of this section need not be appointed under the seal of the corporation, and a statement in writing purporting to be signed by a managing director of the corporation, or by any person (by whatever name called) having, or being one of the persons having, the management of the affairs of the corporation, to the effect that the person named in the statement has been appointed as

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the representative of the corporation for the purposes of this section shall be admissible without further proof as prima facie evidence that that person has been so appointed.

Textual Amendments

- F26** Ss. 31, 32, 33(1)(2)(5) repealed by [Magistrates' Courts Act 1952 \(c. 55\)](#), s. 132, **Sch. 6**
- F27** Words substituted by [Courts Act 1971 \(c. 23\)](#), **Sch. 8 para. 19**
- F28** Words in s. 33(4) repealed (1.9.2004) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 8 para. 71, Sch. 10**; [S.I. 2004/2066](#), art. 2(c)(ii)(d)(i) (with art. 3)

Modifications etc. (not altering text)

- C3** S. 33 extended by [Magistrates' Courts Act 1980 \(c. 43\)](#), **Sch. 3**, para. 8, [Companies Act 1985 \(c. 6, SIF 27\)](#), **s. 734(3)**, [Financial Services Act 1986 \(c. 60, SIF 69\)](#), **s. 203(3)**, and by [Banking Act 1987 \(c. 22, SIF 10\)](#), **s. 98(3)**
- C4** S. 33 modified by [Insurance Companies Act 1982 \(c. 50, SIF 67\)](#), **s. 92(3)**
- C5** S. 33 applied by [Companies Act 1989 \(c. 40, SIF 27\)](#), **ss. 44(3), 91(3)** (the application being in force as regards s. 91(3) and as regards s. 44(3) being in force (1.3.1990) for certain purposes only as mentioned in [S.I. 1990/142](#), **Sch.** and otherwise (1.10.1991) see s. 44(3) and [S.I. 1991/1996](#), **art. 2(1)(a)**)
- C6** S. 33 extended by [Counter–Inflation \(Temporary Provisions\) Act 1972 \(c. 74\)](#), **s. 5(5)**, [Counter–Inflation Act 1973 \(c. 9\)](#), **s. 18(5)** and [Insurance Companies Act 1974 \(c. 49\)](#), **s. 80(3)**
- C7** S. 33 extended (6.1.1997) by [S.I. 1996/2827](#), **reg. 70(3)**
- C8** S. 33 applied (with modifications) (16.2.2001) by [Political Parties, Elections and Referendums Act 2000 \(c. 41\)](#), **s. 153(3)** (with s. 156(6)); [S.I. 2001/222](#), art. 2, **Sch. 1** (subject to transitional provisions in [Sch. 1 Pt. II](#))
s. 33 applied (18.6.2001) by [Financial Services and Markets Act 2000 \(c. 8\)](#), **s. 403(4)(a)**; [S.I. 2001/1820](#), art. 2, **Sch.**
S. 33 applied (31.5.2002) by [Anti-terrorism, Crime and Security Act 2001 \(c. 24\)](#), **s. 69(4)(a)**; [S.I. 2002/1279](#), **art. 2**
S. 33 extended (7.11.2002) by [Adoption and Children Act 2002 \(c. 38\)](#), **ss. 143(5)(a)**, 148 (with [Sch. 4 paras. 1, 6-8](#))
- C9** S. 33 applied (2.8.2004) by [Justification of Practices Involving Ionising Radiation Regulations 2004 \(S.I. 2004/1769\)](#), reg. 1, **Sch. 2 para. 11** (with reg. 2)
- C10** S. 33 applied (7.2.2005) by [Licensing Act 2003 \(c. 17\)](#), **ss. 188(4)**, 201(2) (with [ss. 2\(3\), 15\(2\), 195](#)); [S.I. 2004/2360](#), art. 2(1), **Sch.**
- C11** S. 33 applied by [Children Act 1989 \(c. 41\)](#), **Sch. 9A para. 5A(4)** (as inserted (1.3.2005 for E., 1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), s. 67(7)(c), **Sch. 4 para. 9**; [S.I. 2005/394](#), **art. 2(1)(k)**; [S.I. 2006/885](#), **art. 2(c)**)
- C12** S. 33 applied (1.4.2005) by [Gangmasters \(Licensing\) Act 2004 \(c. 11\)](#), **ss. 21(4)(b), 22(6)(b)**, 29(1); [S.I. 2005/447](#), **art. 2(j)(k)**
- C13** S. 33 applied (20.1.2007 for specified purposes, 6.4.2007 for specified purposes, 1.10.2007 for specified purposes, 6.4.2008 for specified purposes, 1.10.2008 for specified purposes, 1.10.2009 in so far as not already in force) by [Companies Act 2006 \(c. 46\)](#), **ss. 1130(2)(b)(i)**, 1300(2) (with s. 1133); [S.I. 2006/3428](#), art. 3(2)(b) (with [arts. 6, 8\(2\)](#)); [S.I. 2007/1093](#), art. 2(2)(c) (with [arts. 4, 11\(1\)](#)); [S.I. 2007/2194](#), art. 2(1)(1)(3)(h) (with [arts. 7, 12](#)); [S.I. 2007/3495](#), [arts. 3\(3\)\(g\), 5\(3\)\(a\)](#) (with [arts. 7, 12](#)); [S.I. 2008/2860](#), art. 3(s) (with [arts. 7, 8, Sch. 2 para. 1](#))
- C14** S. 33 applied (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), **ss. 1257(3)**, 1300(2); [S.I. 2007/3495](#), art. 3(1)(u) (with [arts. 7912Sch. 4 para. 41](#))
- C15** S. 33 applied (1.2.2007 for W. for specified purposes, 2.4.2007 for W. for specified purposes, 1.7.2007 for E. for specified purposes, 22.4.2008 for E.W.S. for specified purposes, 13.12.2008 for W. for specified purposes, 1.8.2012 for N.I. for specified purposes) by [Health Act 2006 \(c. 28\)](#), **ss. 77(4)(a)**,

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- 83(4)(a)(6)(b), (7); S.I. 2007/204, arts. 2(c), 3(c); S.I. 2007/1375, art. 2(b); S.I. 2008/1147, art. 3(b)(c); S.I. 2008/3171, art. 2(b); S.R. 2012/307, art. 2(b)
- C16** S. 33 applied (1.3.2007) by National Health Service Act 2006 (c. 41), **ss. 207(4), 277(3)(b)(4)(5)**
- C17** S. 33 applied (1.3.2007) by National Health Service (Wales) Act 2006 (c. 42), **ss. 155(4), 208(1)(4)** (with s. 19(3))
- C18** S. 33 applied (6.4.2007) by Childcare Act 2006 (c. 21), **ss. 88(3), 109(2)**; S.I. 2007/1019, art. 4
- C19** S. 33 applied (15.12.2007) by The Transfer of Funds (Information on the Payer) Regulations 2007 (S.I. 2007/3298), **regs. 1(1), 16(8)(a)**
- C20** S. 33 applied (15.12.2007) by The Money Laundering Regulations 2007 (S.I. 2007/2157), **regs. 1(1), 47(8)(a)**
- C21** S. 33 applied by Transport Act 1968 (c. 73), **s. 102B(4)** (as inserted (5.2.2008) by Passenger and Goods Vehicles (Recording Equipment) (Downloading and Retention of Data) Regulations 2008 (S.I. 2008/198), **regs. 1(1), 3**)
- C22** S. 33 applied (6.4.2008) by Serious Crime Act 2007 (c. 27), **ss. 31(5)(b)(i)(6)(b)(i), 94(1)**; S.I. 2008/755, **art. 15(1)(f)**
- C23** S. 33 applied (27.11.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(2), **Sch. 7 para. 37(2)(a)** (with s. 101(2), Sch. 7 para. 43)
- C24** S. 33 applied (12.1.2009 for specified purposes) by Health and Social Care Act 2008 (c. 14), **ss. 92(3), 170(3)(4)**; S.I. 2008/3168, art. 2
- C25** S. 33 applied (9.3.2009) by Fluorinated Greenhouse Gases Regulations 2009 (S.I. 2009/261), **regs. 1(b), 52(6)(b)(i)**
- C26** S. 33 applied (9.3.2009) by Ozone-Depleting Substances (Qualifications) Regulations 2009 (S.I. 2009/216), **regs. 1(b), 10(6)(b)(i)**
- C27** S. 33 applied by Administration of Justice Act 1985 (c. 61), s. 10(7) (as substituted (31.3.2009) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 16 para. 83(4)** (with ss. 29, 192, 193); S.I. 2009/503, art. 2(b)(ii))
- C28** S. 33 applied (27.4.2009) by The Organic Products Regulations 2009 (S.I. 2009/842), **regs. 1, 28(4)(a)**
- C29** S. 33 applied (1.5.2009 for specified purposes, 1.11.2009 in so far as not already in force) by The Payment Services Regulations 2009 (S.I. 2009/209), **regs. 1(2)(b)(c), 118(4)(a)** (with reg. 3)
- C30** S. 33 applied (30.6.2009) by Swine Vesicular Disease Regulations 2009 (S.I. 2009/1299), **regs. 1, 44(2)(b)** (with reg. 4)
- C31** S. 33 applied (30.6.2009) by The Swine Vesicular Disease (Wales) Regulations 2009 (S.I. 2009/1372), **regs. 1, 44(2)(b)** (with reg. 4)
- C32** S. 33 applied (1.7.2009) by Marketing of Fresh Horticultural Produce Regulations 2009 (S.I. 2009/1361), **regs. 1(1), 19(7)(b)**
- C33** S. 33 applied (16.7.2009) by Marketing of Fresh Horticultural Produce (Wales) Regulations 2009 (S.I. 2009/1551), **regs. 1, 19(7)(b)**
- C34** S. 33 applied (1.8.2009) by Horse Passports Regulations 2009 (S.I. 2009/1611), **regs. 1, 24(2)(b)**
- C35** S. 33(6) extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3 para. 8**

Marginal Citations

M1 1915 c. 90.

34 F29

Textual Amendments

F29 S. 34 repealed by Prosecution of Offences Act 1979 (c. 31), **Sch. 2 Pt. II**

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice Act 1925, Part II.