



Indictable Offences Act Amendment Act 1868

1868 CHAPTER 107 31 and 32 Vict

An Act to amend the Law relating to the Indorsing of Warrants in Scotland, Ireland, and the Channel Islands. [31st July 1868]

Modifications etc. (not altering text)

- C1 Act extended (S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 326\(1\)](#)
Act applied (S.) (1.4.1996) by [1995 c. 46, ss. 297\(5\), 309\(2\)](#) (with s. 24(2))
- C2 Preamble omitted under authority of [Statute Law Revision Act 1893 \(c. 14\)](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland

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Textual Amendments

- F1 [S. 1](#) repealed by [Statute Law Revision Act 1893 \(c. 14\)](#)

2 Short title.

This Act may be cited for all purposes as “The Indictable Offences Act Amendment Act 1868.”

3 Construction of Act.

This Act, so far as is consistent with the tenor thereof, shall be construed as one with the ^{M1}Indictable Offences Act 1848 and any Act amending the same.

Changes to legislation: There are currently no known outstanding effects for the Indictable Offences Act Amendment Act 1868. (See end of Document for details)

Marginal Citations

M1 1848 c. 42.

4 Warrants issued in Scotland or Ireland how to be backed in the Channel Islands, and vice versa.

In the following cases, that is to say,

Where a warrant is issued against any person by any competent magistrate in Scotland or [^{F2}Northern Ireland], and such person goes or is supposed to have gone into any of the Channel Islands; or

Where a warrant is issued against any person by any competent magistrate in any of the Channel Islands, and such person goes or is supposed to have gone into Scotland or Ireland;

any competent magistrate having jurisdiction over the place where such person is or is supposed to be may indorse such warrant in manner provided by the Indictable Offences Act 1848, or as near thereto as circumstances admit.

Any such warrant when so indorsed shall be a sufficient authority to the person or persons bringing the same, and to all persons to whom the same was originally directed, and also to all constables within the limits of the jurisdiction of the magistrate who indorsed the same, to execute such warrant within such last-mentioned limits, and to convey the person when apprehended to any place or places within the limits of the jurisdiction of the magistrate who issued the warrant, and to bring him before that magistrate, or before any other magistrate having jurisdiction over such place or places as aforesaid; and any magistrate before whom the person so apprehended is brought may proceed in the same manner as if such person had been apprehended within his jurisdiction.

Textual Amendments

F2 Words substituted by virtue of [Backing of Warrants \(Republic of Ireland\) Act 1965 \(c. 45\), s. 9\(1\)](#)

Modifications etc. (not altering text)

C4 S. 4 repealed in relation to the Republic of Ireland by [Backing of Warrants \(Republic of Ireland\) Act 1965 \(c. 45\), s. 9\(1\)](#)

5 Definition of terms.

For the purpose of this Act “competent magistrate” shall mean—

In Scotland,—

The Lord Justice General, the Lord Justice Clerk, any of the Lords Commissioners of Justiciary, any [^{F3}sheriff principal or sheriff] . . . ^{F4}, or any justice of the peace:

In [^{F5}Northern Ireland],—

Any justice of the peace, or any judge of Her Majesty’s Court of Queen’s Bench, or any justice of oyer and terminer, or of gaol delivery:

In the Channel Islands,—

In Jersey, the bailiff or any lieutenant bailiff within his bailiwick or jurisdiction:

In Guernsey, the bailiff or any lieutenant bailiff within his bailiwick or jurisdiction:

Changes to legislation: There are currently no known outstanding effects for the Indictable Offences Act Amendment Act 1868. (See end of Document for details)

In Alderney, the judge of Alderney, or in his absence any jurat of such island:
In Sark, the seneschal of Sark, or in his absence his deputy within such island:
“Constable” shall include any peace officer or person authorized to apprehend persons charged with offences:
“Warrant” shall include any process in the nature of a warrant.

Textual Amendments

- F3** Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\), s. 4](#)
- F4** Words repealed by [Statute Law Revision Act 1893 \(c. 14\)](#)
- F5** Words substituted by virtue of [Backing of Warrants \(Republic of Ireland\) Act 1965 \(c. 45\), s. 9\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Indictable Offences Act Amendment Act 1868.