STATUTORY INSTRUMENTS

1980 No. 510 (L. 4)

MAGISTRATES' COURTS

PROCEDURE

The Magistrates' Courts (Amendment) Rules 1980

Made - - - -	*2nd April* 1980
Laid before Parliament	*17th April* 1980
Coming into Operation	*12th May* 1980

The Lord Chancellor, in exercise of the power conferred on him by section 15 of the Justices of the Peace Act 1949**(a)**, as extended by section 122 of the Magistrates' Courts Act 1952**(b)** and section 39(1) of the Criminal Law Act 1977**(c)**, after consultation with the Rule Committee appointed under the said section 15, hereby makes the following Rules:—

1. These Rules may be cited as the Magistrates' Courts (Amendment) Rules 1980 and shall come into operation on 12th May 1980.

2. The Magistrates' Courts Rules 1968**(d)** shall have effect subject to the amendments specified in the Schedule to these Rules.

Dated 2nd April 1980. *Hailsham of St. Marylebone, C.*

Rule 2 SCHEDULE

AMENDMENTS TO MAGISTRATES' COURTS RULES 1968

1. In rule 54, paragraph (2A), for the words "and the reasons therefor" there shall be substituted the words "or the reasons for any such decision".

2. In rule 55, paragraph (1), at the end there shall be inserted the words "or a sheriff or sheriff clerk (in Scotland) or a clerk of petty sessions (in Northern Ireland).".

3. In rule 82—

(*a*) for paragraph (3) there shall be substituted the following paragraphs:—

"(3) Service for the purposes of the Act of a summons issued by a justice of the peace on a corporation may be effected by delivering it at, or sending it by post to, the registered office of the corporation, if that office is in the United Kingdom, or, if there is no registered office in the United Kingdom,

(a) 1949 c. 101. (b) 1952 c. 55 (c) 1977 c. 45.

(d) S.I. 1968/1920; relevant amending instruments are S.I. 1973/790; 1978/147, 758; 1979/1221.

any place in the United Kingdom where the corporation trades or conducts its business.

(3A) Paragraph (3) of this rule shall have effect in relation to a document (other than a summons) issued by a justice of the peace as it has effect in relation to a summons so issued, but with the substitution of references to England and Wales for the references to the United Kingdom.";

(*b*) in paragraph (5) the words "or authorise a summons to be served outside England and Wales" shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

Rule 54(2A) of the Magistrates' Courts Rules 1968 (inserted by S.I. 1978/147) enables the particulars of a bail decision and the reasons therefor to be entered in a separate part of the register from that in which the decision itself is entered. These Rules amend rule 54(2A) so as to enable the reasons to be entered in a separate part of the register from that in which the particulars are entered.

These Rules also amend rules 55 and 82 of the Rules of 1968 in consequence of section 39(1) of the Criminal Law Act 1977 (which relates to the service in Scotland and Northern Ireland of a summons requiring a person charged with an offence to appear before a court in England and Wales). Section 39(1) comes into force on 12th May 1980 (S.I. 1980/487).