STATUTORY INSTRUMENTS

1964 No. 1842 (L. 14)

MAGISTRATES' COURTS

PROCEDURE

The Magistrates' Courts (No. 3) Rules 1964

Made - - - -	*19th November* 1964
Laid before Parliament	*26th November* 1964
Coming into Operation	*1st January* 1965

I, Gerald, Baron Gardiner, Lord High Chancellor of Great Britain, in exercise of the power conferred on me by section 15 of the Justices of the Peace Act 1949(a), as extended by section 122 of the Magistrates' Courts Act 1952(b), do hereby, after consultation with the Rule Committee appointed under the said section 15, make the following Rules :—

1. At the end of Rule 12 of the Magistrates' Courts Rules 1952(c), as amended(d), there shall be inserted the following paragraphs :—

" (6) In the application of this Rule in relation to any committal to the Central Criminal Court, in paragraph (2) for the words ' before the first day of sitting of the court to which he is committed ' there shall be substituted the words ' within four days from the date of his committal (not counting Sundays, Good Friday, Christmas Day or bank holidays) '.

(7) In the application of this Rule as aforesaid, the said period of four days may be extended for so long as the clerk of the Central Criminal Court directs, having regard to the length of any document mentioned in paragraph (2) of this Rule or any other relevant circumstance.

(8) Upon the committal of any person to the Central Criminal Court, the clerk of the magistrates' court that committed him shall forthwith in writing notify the clerk of the Central Criminal Court of that committal.".

2. These Rules may be cited as the Magistrates' Courts (No. 3) Rules 1964 and shall come into operation on 1st January 1965.

Dated 19th November 1964.

Gardiner, C.

(a) 12, 13 & 14 Geo. 6. c. 101. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
(c) S.I. 1952/2190 (1952 II, p. 1593).
(d) There is no amendment which relates to the subject matter of these Rules.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules amend Rule 12 of the Magistrates' Courts Rules 1952, under which the clerk of a magistrates' court that commits a person for trial is required to send certain documents and exhibits to the court of trial before the first day of sitting of that court. These Rules provide that, in the case of a committal to the Central Criminal Court, the time within which the documents and exhibits are to be sent to that court shall be four days from the date of committal and also that written notice of the committal shall be given forthwith to that court. The changes are made in consequence of the new system introduced by section 1(2) of the Administration of Justice Act 1964 (c. 42) under which there will be four instead of twelve sessions of the Central Criminal Court in each year.