Magistrates' Courts (Appeals From Binding Over Orders) Act 1956

1956 CHAPTER 44 4 and 5 Eliz 2

An Act to amend the law relating to orders of justices of the peace requiring persons to enter into recognisances to keep the peace or be of good behaviour.   [5th July 1956]

1   Right of appeal to quarter sessions.

(1) Where, under the Justices of the Peace Act 1361 **M1**, or otherwise, a person is ordered by a magistrates' court (as defined in [**F1**the Magistrates' Courts Act 1980**]** to enter into a recognisance with or without sureties to keep the peace or to be of good behaviour, he may appeal to [**F2**the Crown Court**]**

(2) In the case of an appeal under this section—

  (a) the other party to the proceedings which were the occasion of the making of the order shall be the respondent to the appeal;

  (b) . . . . **F3** in relation to an appellant in custody for failure to comply with the order, so much of section [**F4**twenty-two of the **M2**Criminal Justice Act 1967**]**, as relates to the release of convicted persons from custody pending an appeal to [**F2**the Crown Court**]** shall, with the necessary adaptations, apply as if the appeal were an appeal against a conviction.

(3) Nothing in this section shall apply in relation to any order an appeal from which lies to [**F2**the Crown Court**]** apart from the provisions of this section.

(4) This section shall not apply to any order made before the expiration of a period of one month beginning with the date of the passing of this Act.

Textual Amendments

F1   Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82) , s. 154(1), Sch. 7 para.16

F2   Words substituted by virtue of Courts Act 1971 (c. 23), s. 56(2), **Sch. 9 Pt. I**

F3   Words repealed by Criminal Justice Act 1967 (c. 80), **Sch. 7 Pt. I**

F4   Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 17(2)(a)**

Marginal Citations

M1	34 Edw. 3. c. 1.
M2	1967 c. 80.

2   Short title and extent.

(1) This Act may be cited as the Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.

(2) This Act shall not extend to Scotland or Northern Ireland.

Changes to legislation:
There are currently no known outstanding effects for the Magistrates' Courts (Appeals From Binding Over Orders) Act 1956.