

Magistrates' Courts (Forms) Rules 1981
SI 1981 No 553 (as amended)

Note. This text contains rules and forms currently in force that apply to civil proceedings in magistrates' courts. Rules and forms that apply only to criminal cases have been superseded by the Criminal Procedure Rules and Criminal Practice Directions and are not included in this text.

This text is up to date to January 2020.

General

1 Citation, operation and revocations

- (1) These Rules may be cited as the Magistrates' Courts (Forms) Rules 1981 and shall come into operation on 6th July 1981.
- (2) The Rules mentioned in Schedule 1 to these Rules are hereby *Revoked*, but where proceedings were commenced before 6th July 1981 and the old enactments within the meaning of paragraphs 1 and 2(2) of Schedule 8 to the Magistrates' Courts Act 1980 continue to apply by virtue of paragraph 2(1) of the said Schedule 8, the provisions of the Rules so mentioned continue to apply and nothing in these Rules affects those provisions.

2 Forms

- (1) The forms contained in Schedule 2 to these Rules or forms to the like effect may be used, with such variation as the circumstances may require, in connection with proceedings in magistrates' courts.
- (2) Where a requirement is imposed by or under any Act for the use of a form prescribed by rules made under section 144 of the Magistrates' Courts Act 1980, and an appropriate form is contained in Schedule 2 to these Rules, that form or a form to the like effect shall be used.

SCHEDULE 2 FORMS

Rule 2

Criminal Procedure

Forms Common to Inquiry by Examining Justices and Summary Trial

Form 1

Information

(MC Act 1980, s 1; MC Rules 1981, r 4

Obsolete

Forms 2 - 12

Revoked

Form 13

Statement of witness

Obsolete

January 2020

Form 14
Notice to defendant: proof by written statement

Obsolete

Forms 14A - 25

Obsolete

Forms 26 – 28

Revoked

Form 29
Notice of intention to cite previous convictions

Obsolete

Form 30
Notice of intention to cite previous convictions for offences involving obligatory or discretionary disqualification from driving

Obsolete

Form
Application for leave to adduce non-defendant's bad character

Obsolete

Form
Notice of intention to adduce bad character evidence

Obsolete

Form
Application to exclude evidence of the defendant's bad character

Obsolete

Forms 31 - 76

Revoked

Form 77
Information on commission of further offence during probation period

Obsolete

Forms 78 – 83

Revoked

Form 84
Information on commission of further offence during operational period of suspended sentence

Obsolete

Form 85 - 92H

Obsolete

Form 92I
Information for failure to comply with requirements of probation, community service or combination order

Obsolete

Form 92J

Obsolete

Civil Procedure

Orders other than Civil Debt

**Form 98
Complaint**

..... Magistrates' Court (*Code*)

Date:

Defendant:

Address:

Matter of complaint: (*short particulars and statute*)

The complaint of:

Address: Telephone No.

who (upon oath) states that the defendant was responsible for the matter of complaint of which particulars are given above.

Taken (and sworn) before me

..... Justice of the Peace

..... (Justices' Clerk)

Form 99

Revoked

Civil Debt

**Form 104
Complaint: civil debt**

..... Magistrates' Court (*Code*)

Date:

Defendant:

Address:

Matter of complaint: (*state grounds of complaint*)

The complaint of:

Address: Telephone No.

who (upon oath) states that the defendant was responsible for the matter of complaint of which particulars are given above and claims from the defendant the following sum which is recoverable summarily as a civil debt.

Debt:

£

Taken (and sworn) before me
..... Justice of the Peace
..... (Justices' Clerk)

Forms 105 - 106

Revoked

**Form 107
Complaint to enforce civil debt order**

..... Magistrates' Court (*Code*)
Date:
Debtor:
Address:
The complaint of:
Address: Telephone No.
Who (upon oath) states that on (*date*) the debtor was ordered by the(..... Magistrates'
Court) (Crown Court at) to pay the complainant the following sum(s)
Sum(s) ordered to be paid:
£
Costs:
£ to be paid
and the debtor has made default in payment.
Amount paid:
Total amount outstanding:
Amount of default:
Taken (and sworn) before me
..... Justice of the Peace
..... (Justices' Clerk)

Forms 108 - 109

Revoked

**Periodical Payments: Variation
Form 111
Complaint to vary etc order for periodical payments**

(MC Act 1980, s 60; MC Rules 1981, rr 4, 41)

..... Magistrates' Court (*Code*)
Date:

Defendant:

Address:

The complaint of

Address: Telephone No.

Who states (upon oath) that by an order made on (date) under (state statute) by the
Magistrates' Court the defendant was ordered (state shortly terms of the original order and of any subsequent
order)

and the complainant now applies (for the order to be (revived) (Revoked) (varied by
) (for the (suspension) (revival) of (state particular provision of order) of the order) on the ground that:

Ground of application:

Taken (and sworn) before me.

..... Justice of the Peace

..... (Justices' Clerk)

Forms 112 – 120

Revoked

Form 121

Recognizance to prosecute on appeal before the High Court on case stated and for bail pending appeal

CONDITIONS

The principal shall prosecute without delay the principal's appeal to the High Court from the following deci-
sion.

Magistrates' Court

Offence/order and date

Decision subject to appeal

and shall submit to the judgment of the High Court and pay such costs as may be awarded by the High Court
(and, unless the decision appealed against is reversed, appear before the above Magistrates' Court within ten
days after the judgment is given*). This recognizance shall then be void but otherwise shall remain in force.

*Delete if the principal is not to be released on bail.

Forms 122 - 154

Revoked

**Form 155
Case stated**

In the High Court of Justice

Queen's Bench Division

Between A.B., Appellant

..... C.D., and Respondent.

Case stated by Justices for the (county of , acting in the Local Justice Area of
.. . . .), in respect of their adjudication as a Magistrates' Court sitting at

CASE

1

On the day of , 19 , an information (or complaint) was preferred by the appellant (or respondent) against the respondent (or appellant) that he/she (state shortly particulars of information or complaint and refer to any relevant statutes).

2

We heard the said information (or complaint) on the day of , 19 , and found the following facts:—(set out in separate lettered paragraphs).

*(The following is a short statement of the evidence:— (set out so as to show relevant evidence given by each witness)).

(*Insert only if the opinion of the High Court is sought whether there was evidence upon which the Magistrates' Court could come to its decision.)

**3

It was contended by the appellant that

**4

It was contended by the respondent that

(**Only a brief summary should be given.)

5

We were referred to the following cases

6

We were of opinion that (state grounds of decision) and accordingly (state decision including any sentence or order).

QUESTION

7

The question for the opinion of the High Court is

Dated the day of , 19

..... E.F.,

..... G.H.,

..... Justices of the Peace for the (county) aforesaid (on behalf of all the Justices adjudicating).

**Form 156
Warrant to Enter and Search Premises**

Obsolete

Forms – 157 – 159

Revoked

Form 160

Obsolete

Form 161

Statutory Declaration under section 37(3) of the Transport Act 1982

Obsolete