

2012 No. 1344

CRIMINAL LAW, ENGLAND AND WALES

**The Prosecution of Offences (Custody Time Limits)
(Amendment) Regulations 2012**

<i>Made</i> - - - -	<i>17th May 2012</i>
<i>Laid before Parliament</i>	<i>22nd May 2012</i>
<i>Coming into force</i> - -	<i>18th June 2012</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 22(1) and (2) and 29(2) of the Prosecution of Offences Act 1985(a):

Citation and commencement

1. These Regulations may be cited as the Prosecution of Offences (Custody Time Limits) (Amendment) Regulations 2012 and come into force on 18th June 2012.

Amendment of the Prosecution of Offences (Custody Time Limits) Regulations 1987

2.—(1) The Prosecution of Offences (Custody Time Limits) Regulations 1987(b) are amended as follows.

(2) In regulation 5 (custody limits in the Crown Court)—

- (a) in paragraph (6B), omit “under section 51 of the Crime and Disorder Act 1998 (“the 1998 Act”)”;
- (b) in paragraph (6C), omit “under section 51 of the 1998 Act”;
- (c) in paragraph (6D), omit “under section 51 of the 1998 Act”.

Signed by the authority of the Secretary of State

17th May 2012

Crispin Blunt
Parliamentary Under Secretary of State
Ministry of Justice

(a) 1985 c. 23; section 22(2) was amended by the Crime and Disorder Act 1998 (c. 37), section 43(1); section 22(11) which defines “custody of the Crown Court” for section 22 was amended for certain purposes by the Criminal Justice Act 2003 (c. 44), section 41 and Schedule 3, paragraph 57.
(b) S.I. 1987/299, amended by S.I. 2000/3284; there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Prosecution of Offences (Custody Time Limits) Regulations 1987 (S.I. 1987/299) (“the 1987 Regulations”) relating to custody time limits where someone is sent for trial under section 51 of the Crime and Disorder Act 1998 (c. 37) (“the 1998 Act”). These amendments are in consequence of the coming into force in certain areas of Schedule 3 to the Criminal Justice Act 2003 (c. 44) (“the 2003 Act”). Schedule 3, in particular, amends the 1998 Act to expand the circumstances in which a person is to be sent by a magistrates’ court to the Crown Court for trial for an offence. The 1987 Regulations are amended so that they apply where a person is sent for trial under the 1998 Act, whether under the 1998 Act as amended by Schedule 3 to the 2003 Act or not.

A regulatory impact assessment has not been prepared for these Regulations as no impact on the private or voluntary sectors is foreseen.

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