

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the War Crimes Act 1991, Cross Heading: Notice of transfer. (See end of Document for details)

PROSPECTIVE

SCHEDULE

PROCEDURE IN LIEU OF COMMITTAL

[^{F1}PART I

ENGLAND AND WALES]

Textual Amendments

F1 Sch. Pt. I repealed (E.W.N.I.) (4.7.1996) by 1996 c. 25, ss. 46(1)(b), 80, Sch. 5 para. 2 (with s. 78(1))

Notice of transfer

- [^{F1}1 (1) Where a person has been charged in England or Wales with an offence to which section 1 of this Act applies and in the opinion of the Attorney General or the Director of Public Prosecutions (or of an officer of either of them acting on his behalf) the evidence of the offence charged—
- (a) would be sufficient for that person to be committed for trial; but
 - (b) reveals a case of such complexity that it is appropriate that the case should without delay be taken over by the Crown Court,
- a notice certifying that opinion may be served by the Attorney General or the Director of Public Prosecutions (or by such an officer acting as aforesaid) on the magistrates' court in whose jurisdiction the offence has been charged.
- (2) Any such notice shall be served before the magistrates' court begins to inquire into the case as examining justices.
- (3) On the service of such a notice the functions of the magistrates' court shall cease in relation to the case except as provided by paragraphs 3 and 4 below or by section 20(4) of the ^{M1}Legal Aid Act 1988.
- (4) The decision to serve such a notice shall not be subject to appeal or liable to be questioned in any court.
- (5) In this Part of this Schedule “prosecuting authority” means the Attorney General or the Director of Public Prosecutions and “notice of transfer” means a notice under this paragraph.]

Textual Amendments

F1 Sch. Pt. I repealed (E.W.N.I.) (4.7.1996) by 1996 c. 25, ss. 46(1)(b), s. 80, Sch. 5 para. 2 (with s. 78(1))

Marginal Citations

M1 1988 c. 34.

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