



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART II

CRIMINAL INVESTIGATIONS

24 Examples of disclosure provisions.

- (1) This section gives examples of the kinds of provision that may be included in the code by virtue of section 23(5).
- (2) The code may provide that if the person required to reveal material has possession of material which he believes is sensitive he must give a document which—
 - (a) indicates the nature of that material, and
 - (b) states that he so believes.
- (3) The code may provide that if the person required to reveal material has possession of material which is of a description prescribed under this subsection and which he does not believe is sensitive he must give a document which—
 - (a) indicates the nature of that material, and
 - (b) states that he does not so believe.
- (4) The code may provide that if—
 - (a) a document is given in pursuance of provision contained in the code by virtue of subsection (2), and
 - (b) a person identified in accordance with prescribed provisions asks for any of the material,the person giving the document must give a copy of the material asked for to the person asking for it or (depending on the circumstances) must allow him to inspect it.
- (5) The code may provide that if—

Changes to legislation: *Criminal Procedure and Investigations Act 1996, Section 24 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) a document is given in pursuance of provision contained in the code by virtue of subsection (3),
- (b) all or any of the material is of a description prescribed under this subsection, and
- (c) a person is identified in accordance with prescribed provisions as entitled to material of that description,

the person giving the document must give a copy of the material of that description to the person so identified or (depending on the circumstances) must allow him to inspect it.

(6) The code may provide that if—

- (a) a document is given in pursuance of provision contained in the code by virtue of subsection (3),
- (b) all or any of the material is not of a description prescribed under subsection (5), and
- (c) a person identified in accordance with prescribed provisions asks for any of the material not of that description,

the person giving the document must give a copy of the material asked for to the person asking for it or (depending on the circumstances) must allow him to inspect it.

(7) The code may provide that if the person required to reveal material has possession of material which he believes is sensitive and of such a nature that provision contained in the code by virtue of subsection (2) should not apply with regard to it—

- (a) that provision shall not apply with regard to the material,
- (b) he must notify a person identified in accordance with prescribed provisions of the existence of the material, and
- (c) he must allow the person so notified to inspect the material.

(8) For the purposes of this section material is sensitive to the extent that its disclosure under Part I would be contrary to the public interest.

(9) In this section “prescribed” means prescribed by the code.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)