



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART V

#### COMMITTAL, TRANSFER, ETC.

#### 45 Notices of transfer.

- [<sup>F1</sup>(1) Section 5 of the <sup>M1</sup>Criminal Justice Act 1987 (notices of transfer in cases of serious or complex fraud) shall be amended as mentioned in subsections (2) and (3).
- (2) In subsection (9)(a) (regulations) for the words “a statement of the evidence” there shall be substituted “copies of the documents containing the evidence (including oral evidence)”.
- (3) The following subsection shall be inserted after subsection (9)—
- “(9A) Regulations under subsection (9)(a) above may provide that there shall be no requirement for copies of documents to accompany the copy of the notice of transfer if they are referred to, in documents sent with the notice of transfer, as having already been supplied.”
- (4) In Schedule 6 to the <sup>M2</sup>Criminal Justice Act 1991 (notices of transfer in certain cases involving children) paragraph 4 (regulations) shall be amended as mentioned in subsections (5) and (6).
- (5) In sub-paragraph (1)(a) for the words “a statement of the evidence” there shall be substituted “copies of the documents containing the evidence (including oral evidence)”.
- (6) The following sub-paragraph shall be inserted after sub-paragraph (1)—
- “(1A) Regulations under sub-paragraph (1)(a) above may provide that there shall be no requirement for copies of documents to accompany the copy of the notice

**Changes to legislation:** *Criminal Procedure and Investigations Act 1996, Section 45 is up to date with all changes known to be in force on or before 21 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*

of transfer if they are referred to, in documents sent with the notice of transfer, as having already been supplied.”

- (7) In paragraph 6 of Schedule 6 to the 1991 Act (reporting restrictions) in sub-paragraph (8) for the words “sub-paragraphs (5) and (6)” there shall be substituted “sub-paragraphs (5) and (7) ”.
- (8) This section applies where a notice of transfer is given under section 4 of the 1987 Act or served under section 53 of the 1991 Act (as the case may be) on or after the appointed day.
- (9) The reference in subsection (8) to the appointed day is to such day as is appointed for the purposes of this section by the Secretary of State by order.]

#### **Extent Information**

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in Schedule 4; see s. 79

#### **Subordinate Legislation Made**

- P1** S. 45(9) power partly exercised (11.3.1998): 1.4.1998 appointed day (E.W.) insofar as s. 45 relates to notices of transfer served under section 53 of the Criminal Justice Act 1991 c. 53 by [S.I. 1998/851](#), [art. 2](#).

#### **Textual Amendments**

- F1** [S. 45](#) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 4](#); [S.I. 2012/1320](#), [art. 4\(1\)\(d\)\(2\)\(3\)](#) (with [art. 5](#)) (see [S.I. 2012/2574](#), [art. 4\(2\)](#) and [S.I. 2013/1103](#), [art. 4](#)); [S.I. 2012/2574](#), [art. 2\(2\)\(3\)\(d\)](#), [Sch.](#) (with [arts. 3, 4](#)) (as amended (4.11.2012) by [S.I. 2012/2761](#), [art. 2](#)) (with [S.I. 2013/1103](#), [art. 4](#)); [S.I. 2013/1103](#), [art. 2\(1\)\(d\)\(2\)\(3\)](#) (with [arts. 3, 4](#))

#### **Marginal Citations**

- M1** [1987 c. 38](#).  
**M2** [1991 c. 53](#).

**Changes to legislation:**

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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](#)