

1988 No. 164

CRIMINAL LAW, ENGLAND AND WALES

The Prosecution of Offences (Custody Time Limits)
(Amendment) Regulations 1988

Made - - - - - 8th February 1988
Laid before Parliament 15th February 1988
Coming into force 1st April 1988

In exercise of the powers conferred on me by sections 22(1) and (2) and 29(2) of the Prosecution of Offences Act 1985(a), I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Prosecution of Offences (Custody Time Limits) (Amendment) Regulations 1988 and shall come into force on 1st April 1988.

(2) In these Regulations “the principal regulations” means the Prosecution of Offences (Custody Time Limits) Regulations 1987(b).

2.—(1) In paragraph (2) of regulation 3 of the principal regulations (application) at the end of the list of counties there shall be inserted the following—

“Cheshire	Gwynedd
Clwyd	Hampshire
Cornwall	Isle of Wight
Devon	Mid Glamorgan
Dorset	Powys
Dyfed	South Glamorgan
Gloucestershire	West Glamorgan
Greater Manchester	Wiltshire”.
Gwent	

(2) This regulation shall not apply in relation to proceedings for an offence instituted before the date of commencement of these Regulations, except where the accused is committed on or after that date for trial in the Crown Court.

3.—(1) In paragraphs (2)(a) and (4)(a) of regulation 4 of the principal regulations (custody time limits in magistrates’ courts) for “98” there shall be substituted in both places “84”.

(2) This regulation shall not apply in relation to proceedings for an offence instituted before the date of commencement of these Regulations.

4.—(1) In paragraph (1) of regulation 5 of the principal regulations (custody time limits in the Crown Court) at the end of the list of places there shall be inserted the following—

(a) 1985 c.23.
(b) S.I. 1987 299.

“Barnstaple	Knutsford
Bodmin	Manchester
Bolton	Merthyr Tydfil
Bournemouth	Mold
Caernarfon	Newport (Gwent)
Cardiff	Newport (Isle of Wight)
Carmarthen	Plymouth
Chester	Portsmouth
Coventry	Salisbury
Devizes	Southampton
Dolgellau	Swansea
Dorchester	Swindon
Dudley	Taunton
Exeter	Warrington
Gloucester	Welshpool
Haverfordwest	Winchester”.

(2) This regulation shall not apply in relation to a person committed before the date of commencement of these Regulations for trial in the Crown Court or against whom a bill of indictment is preferred before that date under section 2(2)(b) of the Administration of Justice (Miscellaneous Provisions) Act 1933(a).

Home Office
8th February 1988

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 3 of the Prosecution of Offences (Custody Time Limits) Regulations 1987 (the “principal regulations”) restricts the application of the regulations to proceedings instituted in certain counties (namely, Avon, Kent, Somerset and West Midlands); and regulation 5 restricts the application of the provisions dealing with custody time limits in the Crown Court to certain Crown Court centres (namely, Birmingham, Bristol and Maidstone). Those regulations are amended so as to include Greater Manchester and all the counties in the Wales and Chester and Western circuits and all the Crown Court centres in those areas and West Midlands.

Regulation 4 is amended so as to reduce the custody time limit in magistrates' courts in relation to proceedings commenced in the West Midlands from 98 days to 84 days.

The amendments take effect on 1st April 1988.

(a) 1933 c.36; section 2(2)(b) was amended by the Supreme Court Act 1981 (c.54), Schedule 5, and by the Prosecution of Offences Act 1985 (c.23), Schedule 2.

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