

1989 No. 299

**SUPREME COURT OF ENGLAND AND WALES**

**The Crown Court (Amendment) Rules 1989**

<i>Made - - - -</i>	<i>1st March 1989</i>
<i>Laid before Parliament</i>	<i>7th March 1989</i>
<i>Coming into force</i>	<i>3rd April 1989</i>

We, the Crown Court Rule Committee, in exercise of the powers conferred upon us by sections 84(1) and 86 of the Supreme Court Act 1981(a), hereby make the following Rules:

1. These Rules may be cited as the Crown Court (Amendment) Rules 1989, and shall come into force on 3rd April 1989.

2. The Crown Court Rules 1982(b) shall be amended by the insertion after rule 25A of the following rule:

**“Statements etc. relevant to making confiscation orders under the Criminal Justice Act 1988(c)**

**25AA.—(1)** Where a defendant has been convicted of an offence to which Part VI of the Criminal Justice Act 1988 applies and the prosecutor or the defendant proposes to tender to the Crown Court any statement or other document under section 73 of that Act (statements, etc. relevant to making confiscation orders) he shall serve it within such time as the court may require on the appropriate officer of the Crown Court, and at the same time serve a copy thereof on the defendant or the prosecutor, as the case may be.

(2) Any statement tendered to the Crown Court by the prosecutor or the defendant under section 73 of the said Act of 1988 shall include the following particulars, namely—

- (a) the name of the defendant and the indictment number;
- (b) the name of the person by whom the statement is tendered and, if different, the name of the person by whom it is made;
- (c) the date on which and the place where the conviction for the offence occurred;
- (d) the facts relied on in support of any allegation or matter indicated.”

*Mackay of Clashfern, C.  
Lane, C.J.  
Stephen Brown, P.  
Richard Rougier, J.  
Richard Lowry  
Michael McKenzie  
David Jeffreys  
Michael Kalisher  
Simon Hammond*

Dated 1st March 1989

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(a) 1981 c.54.

(b) S.I. 1982/1109; rule 25A was added by the Crown Court (Amendment) Rules 1986 (S.I. 1986/2151).

(c) 1988 c.33.

## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules amend the Crown Court Rules 1982 so as to insert a new rule 25AA in connection with section 73 of the Criminal Justice Act 1988 (c.33). Rule 25AA contains procedural provisions relating to the statements and other documents tendered to the court under section 73, which facilitates the determination by the court whether a defendant has benefited from an offence to which Part VI of the Act of 1988 applies and the assessment by the court of the value of the defendant's benefit.

The Rules, by virtue of rule 1, come into force on 3rd April 1989, the date on which Part VI of the Criminal Justice Act 1988 comes into force (S.I. 1989/264).

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