
STATUTORY INSTRUMENTS

1991 No. 1515

CRIMINAL LAW, ENGLAND AND WALES

The Prosecution of Offences (Custody Time Limits) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>2nd July 1991</i>
<i>Laid before Parliament</i>		<i>5th July 1991</i>
<i>Coming into force</i>	- -	<i>1st October 1991</i>

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

1.—(1) These Regulations may be cited as the Prosecution of Offences (Custody Time Limits) (Amendment) Regulations 1991.

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

(3) These Regulations shall come into force on 1st October 1991, but—

(a) paragraphs (a) and (c) of regulation 2 shall not apply in relation to proceedings for an offence instituted before that date except where—

(i) the accused is committed for trial in the Crown Court, or

(ii) notice of transfer is given under section 4 of the Criminal Justice Act 1987(3) in respect of the case, or

(iii) a bill of indictment is preferred against the accused under section 2(2)(b) of the Administration of Justice (Miscellaneous Provisions) Act 1933(4),

on or after that date; and

(b) paragraph (b) of regulation 2 shall not apply to proceedings for an offence instituted before that date.

2. The principal regulations shall have effect subject to the following amendments:

(a) regulation 3 (application) shall be omitted;

(1) 1985 c. 23.

(2) S.I.1987/299, amended by S.I. 1988/164, 1989/767 and 1107.

(3) 1987 c. 38.

(4) 1933 c. 36; section 2(2)(b) has effect as provided by the Supreme Court Act 1981 (c. 54), Schedule 5.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in regulation 4 (custody time limits in magistrates' courts) in paragraph (1) the words "In proceedings in relation to which these Regulations apply", and in paragraphs (2) and (4) the words following "70 days", shall be omitted; and
- (c) in regulation 5 (custody time limits in the Crown Court), paragraph (1) shall be omitted and in paragraph (2) for the words before "the maximum period" there shall be substituted the following—
 - "Where—
 - (a) a person accused of an indictable offence other than treason is committed to the Crown Court for trial; or
 - (b) a bill of indictment is preferred against a person under section 2(2)(b) of the Administration of Justice (Miscellaneous Provisions) Act 1933,".

Home Office
2nd July 1991

Kenneth Baker
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”) applies the principal regulations to proceedings instituted in certain areas, and regulation 5 of the principal regulations provides for custody time limits in the Crown Court in such proceedings at specified Crown Court centres. The principal regulations are amended by regulation 2 of these Regulations so as to apply uniformly to proceedings instituted throughout England and Wales and to all Crown Court centres.

By virtue of regulation 1(3) these Regulations come into force on 1st October 1991.