

2005 No. 1129

CRIMINAL LAW, ENGLAND AND WALES

The Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) (Amendment) Order 2005

<i>Made</i> - - - -	<i>7th April 2005</i>
<i>Laid before Parliament</i>	<i>8th April 2005</i>
<i>Coming into force</i> - -	<i>18th April 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by section 1(2)(b) of the Bail (Amendment) Act 1993,^(a) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) (Amendment) Order 2005 and shall come into force on 18th April 2005.

Amendment of the Schedule to the principal Order

2.—(1) The Schedule to the Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994^(b) is amended as follows.

(2) The references to “The Commissioners of Customs and Excise” and “The Commissioners of Inland Revenue” shall be omitted and there shall be added “The Director of Revenue and Customs Prosecutions and any person designated under section 37(1) of the Commissioners for Revenue and Customs Act 2005^(c)”.

Home Office
7th April 2005

Caroline Flint
Parliamentary Under Secretary of State

(a) 1993 c.26.
(b) S.I. 1994/1438, as amended by S.I. 2001/1149.
(c) 2005 c. 11.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Bail (Amendment) Act 1993 (Prescription of Prosecuting Authorities) Order 1994 which prescribes prosecuting authorities for the purposes of section 1 of the Bail (Amendment) Act 1993. That section provides that in the case of certain defendants prosecuted by or on behalf of the Director of Public Prosecutions or a prescribed prosecuting authority an appeal may be made to a judge of the Crown Court against the granting of bail by a magistrates' court. This Order substitutes the Director of Revenue and Customs Prosecutions for the Commissioners of Customs and Excise and the Commissioners of Inland Revenue as a consequence of section 34 of the Commissioners for Revenue and Customs Act 2005. Any person designated under section 37(1) of that Act may exercise any function of the Director.

£3.00

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E0775 4/2005 150775T 19585

ISBN 0-11-072808-4



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