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STATUTORY INSTRUMENTS

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**2008 No. 635**

**The Criminal Procedure and Investigations Act  
1996 (Application to the Armed Forces) Order 2008**

**Prosecutor's failure to observe time limits**

- 14.**—(1) This article applies if the prosecutor—
- (a) purports to act under article 3, but does not comply with the requirement to act as soon as reasonably practicable under article 3(8); or
  - (b) purports to act under article 12(5), but does not comply with the requirement to act as soon as reasonably practicable.
- (2) Subject to paragraph (3), the failure to comply with the relevant requirement does not on its own constitute grounds for staying the proceedings for abuse of process.
- (3) Paragraph (2) does not prevent the failure constituting such grounds if it involves such delay by the prosecutor that the accused is denied a fair trial.