
STATUTORY INSTRUMENTS

1999 No. 2743

CRIMINAL LAW, ENGLAND AND WALES

**The Prosecution of Offences (Youth
Courts Time Limits) Regulations 1999**

<i>Made</i>	- - - -	<i>5th October 1999</i>
<i>Laid before Parliament</i>		<i>11th October 1999</i>
<i>Coming into force</i>	- -	<i>1st November 1999</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 22(1) and (2), 22A (1) and (2) and 29(2) of the Prosecution of Offences Act 1985(1), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Prosecution of Offences (Youth Courts Time Limits) Regulations 1999 and shall come into force on 1st November 1999.

Interpretation

2.—(1) In these Regulations, “the 1985 Act” means the Prosecution of Offences Act 1985.

(2) In these Regulations, references to a person’s first appearance in a relevant court in connection with an offence include his first appearance in connection with the offence after any re-instituted proceedings.

(3) In these Regulations, “a relevant area” means an area specified in the Schedule to these Regulations.

(4) In these Regulations, “a relevant court” means a youth court in an area specified in the Schedule to these Regulations.

(5) A maximum period which would, apart from this paragraph, expire on any of the days to which this paragraph applies shall be treated as expiring on the first preceding day which is not one of those days.

(1) 1985 c. 23; section 22(2) was amended by section 43(1) of the Crime and Disorder Act 1998 (c. 37). Section 22A was inserted by section 44 of the Crime and Disorder Act 1998.

The days to which this paragraph applies are Saturday, Sunday, Christmas Day, Good Friday and any day which under the Banking and Financial Dealings Act 1971(2) is a bank holiday in England and Wales.

3. These Regulations shall apply only in relation to proceedings instituted in a relevant area.

Overall time limit

4. In any case where a person's first appearance in a relevant court in connection with an offence is fixed to take place on or after 1st November 1999, the maximum period to be allowed to the prosecution for the completion of the stage beginning with the date fixed for that appearance and ending with the start of his trial in a relevant court in connection with the offence shall be 99 days.

Initial stage time limit

5. In any case where a person was arrested in connection with an offence—
- (a) whilst under the age of 18;
 - (b) on or after 1st November 1999; and
 - (c) in a relevant area,

the maximum period to be allowed for the completion of the stage beginning with his arrest and ending with the date fixed for his first appearance in a relevant court in connection with that offence shall be 36 days.

Sentencing time limit

6. In any case relating to a person who—
- (a) was under the age of 18—
 - (i) at the time of his arrest for an offence; or
 - (ii) (where he was not arrested for the offence) at the time of the laying of an information charging him with an offence; and
 - (b) is convicted of the offence in a relevant court on or after 1st November 1999,

the period within which the stage beginning with the date of his conviction and ending with the date of his being sentenced in a relevant court for the offence should be completed shall be 29 days.

Application for extension of overall or initial stage time limit by the prosecution

7.—(1) An application by the prosecution under section 22(3) of the 1985 Act for an extension of the time limit prescribed in regulation 4 above shall be made before the expiry of the prescribed limit.

(2) An application by the prosecution under section 22A(3) of the 1985 Act for an extension of the time limit prescribed in regulation 5 above shall be made before the expiry of the prescribed limit.

(3) Any application referred to in paragraph (1) or (2) above shall be made orally.

(4) Subject to paragraphs (5) and (6) below, the prosecution shall, not less than 2 days before making such an application, give notice in writing to the person to whom the application relates or his representative and to the clerk of the court, stating that it intends to make such an application.

(2) 1971 c. 80; section 1.

(5) It shall not be necessary for the prosecution to comply with paragraph (4) above if the person to whom the application relates or his representative has informed the prosecution that he does not require such notice.

(6) If the court is satisfied that it is not practicable in all the circumstances for the prosecution to comply with paragraph (4) above, the court may direct that the prosecution need not comply with that paragraph or that the minimum period of notice required by that paragraph shall be such lesser period as the court may specify.

Home Office
5th October 1999

Jack Straw
One of Her Majesty's Principal Secretaries of
State

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

SCHEDULE

AREAS IN WHICH THE PROSECUTION OF OFFENCES (YOUTH COURT TIME LIMITS) REGULATIONS 1999 SHALL HAVE EFFECT

The petty sessions areas of: Aberconwy; Arfon; Blackburn, Darwen and Ribble Valley; Bromley; Burnley and Pendle; Colwyn; Corby; Croydon; Daventry; Denbighshire; Dwyfor; Flintshire; Gateshead; Kettering; Meirionnydd; Newcastle-under-Lyme and Pirehill North; Newcastle-upon-Tyne; Northampton; Staffordshire Moorlands; Stoke-on-Trent; Towcester; Wellingborough; Wrexham Maelor; and Ynys Môn/Anglesey.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for maximum periods in relation to three stages of proceedings in youth courts in the areas in which they have effect.

Regulation 4 provides that a young person whose first appearance in a youth court is fixed to take place on or after 1st November 1999 shall be brought to trial within 99 days of the date of that fixture (“the overall time limit”).

Regulation 5 provides that a young person arrested on or after 1st November 1999 shall first appear in court within 36 days of the date of his arrest (“the initial stage time limit”).

Regulation 6 provides that a person convicted on or after 1st November 1999 should be sentenced within 29 days of the date of his conviction (“the sentencing time limit”).

Regulation 7 provides the procedure for applications by the prosecution for extension of the overall time limit prescribed by regulation 4 and the initial stage time limit prescribed by regulation 5.