

STATUTORY INSTRUMENTS

**1988 No. 1846**

**The Criminal Justice (Serious Fraud)  
(Northern Ireland) Order 1988**

Preparatory hearings

**Power to order preparatory hearing**

6.—(1) Where it appears to a judge of the Crown Court that the evidence on an indictment reveals a case of fraud of such<sup>[F1]</sup> seriousness or complexity] that substantial benefits are likely to accrue from a hearing (in this Order referred to as a preparatory hearing ) before<sup>[F2]</sup> the time when the jury are sworn], for the purpose of—

- [F3](a) identifying issues which are likely to be material to the determinations and findings which are likely to be required during the trial;
- (b) if there is to be a jury, assisting their comprehension of those issues and expediting the proceedings before them;
- (c) determining an application to which section 45 of the Criminal Justice Act 2003 applies; or]
- (d) assisting the judge's management of the trial,

he may order that such a hearing shall be held.

(2) A judge may make an order under paragraph (1) on the application either of the prosecution or of the person indicted or, if the indictment charges a number of persons, any of them, or of his own motion.

[F4(2A) The reference in paragraph (1) to the time when the jury are sworn includes the time when the jury would be sworn but for—

- (a) the making of an order under Part 7 of the Criminal Justice Act 2003, or
- (b) the application of section 75 of the Terrorism Act 2000.]

- (3) <sup>F5</sup> .....
- (4) <sup>F5</sup> .....
- (5) <sup>F5</sup> .....

**F1** Words in art. 6(1) substituted (4.7.1996 with application as mentioned in Sch. 3 para. 8 of the amending Act) by Criminal Procedure and Investigations Act 1996 (c. 25), s. 72, Sch. 3 para. 3(2) (as modified in its application to Northern Ireland by Sch. 4 para. 35)

**F2** Words in art. 6(1) substituted (8.1.2007) by Criminal Justice Act 2003 (c. 44), ss. 331, 336(3), Sch. 36 para. 57(2); S.I. 2006/3422, art. 2(b)(c)

**F3** Art. 6(1)(a)-(c) substituted (8.1.2007 for certain purposes, otherwise prosp.) by Criminal Justice Act 2003 (c. 44), ss. 45(4), 50(3), 336(3); S.I. 2006/3422, art. 2(a)

**F4** Art. 6(2A) inserted (8.1.2007) by Criminal Justice Act 2003 (c. 44), ss. 331, 336(3), Sch. 36 para. 57(3); S.I. 2006/3422, art. 2(b)(c)

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**Changes to legislation:** *The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988, Section 6 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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**F5** [Art. 6\(3\)-\(5\)](#) repealed (4.7.1996 with application as mentioned in [Sch. 3 para. 8](#) of the amending Act) by [Criminal Procedure and Investigations Act 1996 \(c. 25\), ss. 72, 80, Sch. 3 para. 3\(3\), Sch. 5](#) (as modified in its application to Northern Ireland by [Sch. 4 paras. 35, 36](#))

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1996 c. 25 s.79Sch 4 para.35](#)
- Act amended by [1996 c. 25 s.79Sch 4 para.35](#)
- Act rev.in pt. by [1996 c. 25 s. 72Sch.3 s.79Sch.4 para.36](#)
- Act rev.in pt. by [1996 c. 25 s. 72Sch.3 s.79Sch.4 para.36](#)
- Act rev.in pt. (prosp.) by [1996 c. 25 ss.7479Sch.4 para.36](#)
- Act rev.in pt. (prosp.) by [1996 c. 25 ss.7479Sch.4 para.36](#)