

Changes to legislation: There are currently no known outstanding effects for the Contempt of Court Act 1981, Paragraph 7. (See end of Document for details)

SCHEDULES

SCHEDULE 1

TIMES WHEN PROCEEDINGS ARE ACTIVE FOR PURPOSES OF SECTION 2

Criminal proceedings

- 7 Proceedings are discontinued within the meaning of paragraph 5(c)—
- (a) in England and Wales or Northern Ireland, if the charge or summons is withdrawn or a *nolle prosequi* entered;
 - [^{F1}(aa) in England and Wales, if they are discontinued by virtue of section 23 of the Prosecution of Offences Act 1985;]
 - [^{F2}(ab) in England and Wales, if they are discontinued by virtue of paragraph 11 of Schedule 17 to the Crime and Courts Act 2013 (deferred prosecution agreements);]
 - (b) in Scotland, if the proceedings are expressly abandoned by the prosecutor or are deserted *simpliciter*;
 - (c) in the case of proceedings in ^{F3}... Northern Ireland commenced by arrest without warrant, if the person arrested is released, otherwise than on bail, without having been charged;
 - [^{F4}(ca) in the case of proceedings in England and Wales commenced by arrest without warrant, if the person arrested is notified that the person is not to be prosecuted (whether under section 34(5C), 37(6B), 37B(5), 37CA(6), 41(11), 42(13), 43(21) or 44(10) of the Police and Criminal Evidence Act 1984 or otherwise);]
 - [^{F5}(d) where the initial steps of the proceedings are as mentioned in paragraph 4(f) and the application is granted, if no new prosecution is brought within the period of 2 months mentioned in section 6(3) of the Double Jeopardy (Scotland) Act 2011 (asp 16).]

Textual Amendments

- F1** Sch. 1 para. 7(aa) inserted (E.W.) by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\)](#), s. 31(5), **Sch. 1 Pt. 1 para. 4**
- F2** Sch. 1 para. 7(ab) inserted (24.2.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 17 para. 34** (with [Sch. 17 para. 39](#)); S.I. 2014/258, art. 2(b)
- F3** Words in [Sch. 1 para. 7\(c\)](#) omitted (14.3.2018) by virtue of [The Policing and Crime Act 2017 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/226\)](#), regs. 1, **4(2)(a)** (with reg. 14)
- F4** [Sch. 1 para. 7\(ca\)](#) inserted (14.3.2018) by [The Policing and Crime Act 2017 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/226\)](#), regs. 1, **4(2)(b)** (with reg. 14)
- F5** Sch. 1 para. 7(d) inserted (S.) (28.11.2011) by [Double Jeopardy \(Scotland\) Act 2011 \(asp 16\)](#), s. 17(3), **Sch. para. 5**; S.S.I. 2011/365, **art. 3**

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