



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART I

DISCLOSURE

Other provisions

20 Other statutory rules as to disclosure

- (1) A duty under any of the disclosure provisions shall not affect or be affected by any duty arising under any other enactment with regard to material to be provided to or by the accused or a person representing him; but this is subject to subsection (2).
- (2) In making an order under section 9 of the Criminal Justice Act 1987 or section 31 of this Act (preparatory hearings) the judge may take account of anything which—
 - (a) has been done,
 - (b) has been required to be done, or
 - (c) will be required to be done,in pursuance of any of the disclosure provisions.
- (3) Without prejudice to the generality of section 144(1) of the Magistrates' Courts Act 1980 (magistrates' court rules) the power to make rules under that section includes power to make, with regard to any proceedings before a magistrates' court which relate to an alleged offence, provision for—
 - (a) requiring any party to the proceedings to disclose to the other party or parties any expert evidence which he proposes to adduce in the proceedings;
 - (b) prohibiting a party who fails to comply in respect of any evidence with any requirement imposed by virtue of paragraph (a) from adducing that evidence without the leave of the court.
- (4) Rules made by virtue of subsection (3)—

Status: This is the original version (as it was originally enacted).

- (a) may specify the kinds of expert evidence to which they apply;
 - (b) may exempt facts or matters of any description specified in the rules.
- (5) For the purposes of this section—
- (a) the disclosure provisions are sections 3 to 9;
 - (b) “enactment” includes an enactment comprised in subordinate legislation (which here has the same meaning as in the Interpretation Act 1978).