



# Criminal Procedure and Investigations Act 1996

## 1996 CHAPTER 25

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **77 Orders and regulations.**

- (1) This section concerns the powers of the Secretary of State to make orders or regulations under this Act.
- (2) Any power to make an order or regulations may be exercised differently in relation to different areas or in relation to other different cases or descriptions of case.
- (3) Any order or regulations may include such supplementary, incidental, consequential or transitional provisions as appear to the Secretary of State to be necessary or expedient.
- (4) Any power to make an order or regulations shall be exercisable by statutory instrument.
- (5) No [<sup>F1</sup>regulations or] order under section [<sup>F2</sup>6A or] 25 shall have effect unless approved by a resolution of each House of Parliament.
- (6) A statutory instrument containing—
  - (a) an order under section 78, or
  - (b) regulations [<sup>F3</sup>(other than regulations under section 6A)] ,shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Changes to legislation:** *Criminal Procedure and Investigations Act 1996, Section 77 is up to date with all changes known to be in force on or before 22 April 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*

#### Subordinate Legislation Made

- P1** S. 77(2)(4) power partly exercised: 1.4.1999 (E.W.) appointed for specified provision by [S.I. 1999/718, art. 2](#)  
S. 77(2)(4) power partly exercised: 21.8.2000 (N.I.) appointed for specified provision by [S.I. 2000/1968, art. 2](#)

#### Textual Amendments

- F1** Words in s. 77(5) inserted (4.4.2005 for E.W. and 15.7.2005 for N.I.) by [Criminal Justice Act 2003 \(c. 44\), ss. 331, 336, Sch. 36 Pt. 3 para. 37\(1\)\(2\)\(a\)](#); [S.I. 2005/950, art. 2\(1\)](#), Sch. 1 (subject to art. 2(2) and Sch. 2); [S.I. 2005/1817, art. 2](#)
- F2** Words in s. 77(5) inserted (4.4.2005 for E.W. and 15.7.2005 for N.I.) by [Criminal Justice Act 2003 \(c. 44\), ss. 331, 336, Sch. 36 Pt. 3 para. 37\(1\)\(2\)\(b\)](#); [S.I. 2005/950, {art. 2 \(1\)}](#), Sch. 1 (subject to art. 2(2) and Sch. 2); [S.I. 2005/1817, art. 2](#)
- F3** Words in s. 77(6)(b) inserted (4.4.2005 for E.W. and 15.7.2005 for N.I.) by [Criminal Justice Act 2003 \(c. 44\), ss. 331, 336, Sch. 36 Pt. 3 para. 37\(1\)\(3\)](#); [S.I. 2005/950, art. 2\(1\)](#), Sch. 1 (subject to art. 2(2) and Sch. 2); [S.I. 2005/1817, art. 2](#)

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)