

STATUTORY INSTRUMENTS

**1999 No. 904**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Prosecution of Offences Act 1985  
(Specified Proceedings) Order 1999**

<i>Made</i>	- - - -	<i>18th March 1999</i>
<i>Laid before Parliament</i>		<i>22nd March 1999</i>
<i>Coming into Operation</i>		<i>4th May 1999</i>

The Attorney General, in exercise of the powers conferred upon him by section 3(3) of the Prosecution of Offences 1985<sup>M1</sup>, hereby makes the following Order:

**Marginal Citations**

**M1** [1985 c.23](#).

**E+W**

**1.** This Order may be cited as the Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999 and shall come into operation on 4th May 1999.

**E+W**

**2.** The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1985<sup>M2</sup> is hereby revoked.

**Marginal Citations**

**M2** [S.I. 1985/2010](#), amended by [S.I. 1988/1121](#).

**E+W**

**3.—(1)** Subject to [<sup>F1</sup>the following paragraphs of this article], proceedings for the offences mentioned in the Schedule to this Order are hereby specified for the purposes of section 3 of the Prosecution of Offences Act 1985 (which, amongst other things, places a duty on the Director of Public Prosecutions to take over the conduct of all criminal proceedings, other than specified proceedings, instituted on behalf of a police force).

[<sup>F2</sup>(1A) Proceedings for an offence mentioned in the Schedule to this Order are not specified if they are instituted by way of charge under section 37(7)(d) of the Police and Criminal Evidence Act 1984.

(1B) Proceedings for an offence mentioned in the Schedule to this Order are not specified if, at the time when a summons or requisition is issued in respect of the offence, the accused is under the age of 16.]

(2) Where a summons [<sup>F3</sup>or requisition] has been issued in respect of an offence mentioned in [<sup>F4</sup>Part 1 of] the Schedule to this Order, proceedings for that offence cease to be specified when the summons [<sup>F3</sup>or requisition] is served on the accused unless the documents described in section 12(3)(b) of the Magistrates' Courts Act 1980 <sup>M3</sup> (pleading guilty by post etc.) are served upon the accused with the summons [<sup>F3</sup>or requisition].

[<sup>F5</sup>(2A) Where a summons or requisition has been issued in respect of an offence mentioned in Part 2 of the Schedule to this Order, proceedings for that offence cease to be specified when the summons or requisition is served on the accused unless—

- (a) a concise statement of such facts relating to the charge as will be placed before the court by or on behalf of the prosecutor if the accused pleads guilty; or
- (b) a copy of such written statement or statements complying with subsections (2)(a) and (b) and (3) of section 9 of the Criminal Justice Act 1967 as will be so placed in those circumstances,

is served upon the accused with the summons or requisition.]

[<sup>F6</sup>(3) Proceedings for an offence cease to be specified if at any time a magistrates' court begins to receive evidence in those proceedings, other than evidence—

- (a) received in proceedings held in the absence of the accused under [<sup>F7</sup>section 11(1)] of the Magistrates' Courts Act 1980 (non-appearance of accused: general provisions);
- (b) read out before the court under section 12(7) of that Act (non-appearance of accused: plea of guilty); or
- (c) received for the purposes of considering whether there are grounds for mitigating the normal consequences of a conviction under section 35(1) of the Road Traffic Offenders Act 1988 (disqualification for repeated offences).]

[<sup>F8</sup>(4) Proceedings for an offence mentioned in the Schedule to this Order cease to be specified if at any time a magistrates' court indicates that it is considering imposing a custodial sentence for the offence.]

[<sup>F9</sup>(5) In this article—

“evidence” does not include anything that is considered by the court when trying a written charge in accordance with section 16A (trial by single justice on the papers) of the Magistrates' Courts Act 1980;

“summons” does not include a summons issued under section 16B(3)(b) (cases not tried by single justice on the papers) or section 16C(3)(b) (cases that cease to be tried by single justice on the papers) of the Magistrates' Courts Act 1980.]

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#### Textual Amendments

- F1** Words in art. 3(1) substituted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, **3(a)**
- F2** [Art. 3\(1A\)\(1B\)](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, **3(b)**

- F3** Words in art. 3(2) inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, **3(c)(i)**
- F4** Words in art. 3(2) inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, **3(c)(ii)**
- F5** Art. 3(2A) inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, **3(d)**
- F6** Art. 3(3) substituted (17.7.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2012 (S.I. 2012/1635), arts. 1, **2(2)**
- F7** Words in art. 3(3)(a) substituted (3.9.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 2) Order 2012 (S.I. 2012/2067), arts. 1, **2(2)**
- F8** Art. 3(4) inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, **3(e)**
- F9** Art. 3(5) inserted (14.3.2018) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2018 (S.I. 2018/198), arts. 1, **2**

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**Marginal Citations**

- M3** 1980 c.43; section 12 was substituted by paragraph 1 of Schedule 5 to the Criminal Justice and Public Order Act 1994 (c.33) and amended by section 1 of the Magistrates' Courts (Procedure) Act 1998 (c.15).

*John Monroe*  
Her Majesty's Attorney General

*Changes to legislation: There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)*

SCHEDULE **E+W**

Article 3

## OFFENCES PROCEEDINGS FOR WHICH ARE SPECIFIED BY ARTICLE 3(1)

[<sup>F10</sup>PART 1 **E+W**  
Summary Offences]

**Textual Amendments**

**F10** Sch. Pt. 1 heading inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 4

1. Fixed penalty offences within the meaning of section 51(1) of the Road Traffic Offenders Act 1988 <sup>M4</sup>.

**Marginal Citations**

**M4** 1988 c.53.

2. The offences under section 29(1) of the Vehicle Excise and Registration Act 1994 <sup>M5</sup>.

**Marginal Citations**

**M5** 1994 c.22.

[<sup>F11</sup>3. The offences under sections 3, 17(2), 18(3), 24(3), 26(1) and (2), 29, 31(1), 35, 42(b), 47(1), 87(2), 143, 163, 164(6) and (9), 165(3) and (6), 168, 170 and 172(3) of the Road Traffic Act 1988.]

**Textual Amendments**

**F11** Sch. Pt. 1 para. 3 substituted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 5

4. All offences under the Road Traffic Regulation Act 1984 <sup>M6</sup> other than those under sections 35A(2), 43(5) and (12), 47(3), 52(1), 108(3), 115(1) and (2), 116(1) and 129(3) or those mentioned in paragraph 1 above.

**Marginal Citations**

**M6** 1984 c.27. Section 35A(2) was inserted by section 2 of the [Parking Act 1989 \(c.16\)](#). Section 43(5) was amended by Schedule 17 to the [Local Government Act 1985 \(c.51\)](#). Section 47(3) was amended by paragraph 3(a) of the Schedule to the Parking Act 1989. Section 115(1) was substituted by section 2(2) of the [Road Traffic Regulation \(Parking\) Act 1986 \(c.27\)](#).

5. The offences arising by contravention of Regulations 3(9)(a) (involving a pedal cycle) and 3(9)(b) and 4(27), (28) and (30) of the Royal and Other Open Spaces Regulations 1997 <sup>M7</sup>.

**Marginal Citations**

M7 [S.I. 1997/1639](#).

[<sup>F12</sup>6. The offence under section 12 of the Licensing Act 1872.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

7. The offence under section 80 of the Explosives Act 1875.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

8. The offences under sections 55 and 56 of the British Transport Commission Act 1949.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

9. The offence under section 91 of the Criminal Justice Act 1967.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

10. The offence under section 63B(8) of the Police and Criminal Evidence Act 1984.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

11. The offence under section 5 of the Public Order Act 1986.

**Textual Amendments**

F12 [Sch. Pt. 1 paras. 6-16](#) inserted (19.11.2012) by [The Prosecution of Offences Act 1985 \(Specified Proceedings\) \(Amendment No. 3\) Order 2012 \(S.I. 2012/2681\)](#), arts. 1, 6

12. The offence under section 87(1) of the Environmental Protection Act 1990.

*Changes to legislation: There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)*

**Textual Amendments**

**F12** Sch. Pt. 1 paras. 6-16 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

13. The offence under section 12 of the Criminal Justice and Police Act 2001.

**Textual Amendments**

**F12** Sch. Pt. 1 paras. 6-16 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

14. The offence under section 11 of the Fireworks Act 2003.

**Textual Amendments**

**F12** Sch. Pt. 1 paras. 6-16 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

15. The offence under section 49 of the Fire and Rescue Services Act 2004.

**Textual Amendments**

**F12** Sch. Pt. 1 paras. 6-16 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

16. The offences under section 12(3) and 14(3) of the Drugs Act 2005.]

**Textual Amendments**

**F12** Sch. Pt. 1 paras. 6-16 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

[<sup>F13</sup>16A. The offence under section 1 of the Theft Act 1968, but only if it is the prosecutor's case that the offence constitutes low-value shoplifting within the meaning of section 22A(3) of the Magistrates' Courts Act 1980.]

**Textual Amendments**

**F13** Sch. para. 16A inserted (9.6.2014) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2014 (S.I. 2014/1229), arts. 1, 2(2)

[<sup>F14</sup>16B. The offences under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020.

**Textual Amendments**

**F14** Sch. paras. 16B, 16C inserted (3.6.2020) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2020 (S.I. 2020/562), arts. 1, 2(2)

**Changes to legislation:** There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)

**16C.** The offences under the Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020.]

**Textual Amendments**

**F14** Sch. paras. 16B, 16C inserted (3.6.2020) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2020 (S.I. 2020/562), arts. 1, **2(2)**

[<sup>F15</sup>**16D.** The offences under the Health Protection (Coronavirus, International Travel) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16E.** The offences under the Health Protection (Coronavirus, International Travel) (Wales) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16F.** The offences under the Health Protection (Coronavirus, Wearing of Face Coverings on Public Transport) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16G.** The offences under the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16H.** The offences under the Health Protection (Coronavirus, Restrictions) (Leicester) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16I.** The offences under the Health Protection (Coronavirus, Restrictions) (No. 2) (Wales) Regulations 2020.

*Changes to legislation: There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)*

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16J.** The offences under the Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16K.** The offences under the Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16L.** The offences under the Health Protection (Coronavirus, Restrictions) (Blackburn with Darwen and Bradford) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16M.** The offences under the Health Protection (Coronavirus, Restrictions) (Leicester) (No. 2) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16N.** The offences under the Health Protection (Coronavirus, Restrictions on Gatherings) (North of England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16O.** The offences under the Health Protection (Coronavirus, Restrictions) (Birmingham, Sandwell and Solihull) Regulations 2020.



**Changes to legislation:** There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16P.** The offences under the Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16Q.** The offences under the Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16R.** The offences under the Health Protection (Coronavirus, Restrictions) (North East and North West of England) (Regulations) 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16S.** The offences under the Health Protection (Coronavirus, Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16T.** The offences under the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16U.** The offences under the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020.

*Changes to legislation: There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)*

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16V.** The offences under the Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16W.** The offences under the Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16X.** The offences under the Health Protection (Coronavirus, Restrictions) (No. 3) (Wales) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16Y.** The offences under the Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16Z.** The offences under the Health Protection (Coronavirus, Restrictions) (No. 4) (Wales) Regulations 2020.

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16Z1.** The offences under the Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

**16Z2.** The offences under the Health Protection (Coronavirus, Restrictions) (No. 5) (Wales) Regulations 2020.]

**Textual Amendments**

**F15** Sch. paras. 16D-16Z2 inserted (9.2.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) Order 2021 (S.I. 2021/126), arts. 1, **2(2)**

[<sup>F16</sup>**16Z3.** The offences under the Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021.

**Textual Amendments**

**F16** Sch. paras. 16Z3, 16Z4 inserted (13.7.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) (No. 2) Order 2021 (S.I. 2021/723), arts. 1(2), **2(2)**

**16Z4.** The offences under the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021.]

**Textual Amendments**

**F16** Sch. paras. 16Z3, 16Z4 inserted (13.7.2021) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Coronavirus) (Amendment) (No. 2) Order 2021 (S.I. 2021/723), arts. 1(2), **2(2)**

[<sup>F17</sup>**PART 2** **E+W**

**Offences Triable Either Way**

**Textual Amendments**

**F17** Sch. Pt. 2 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, **6**

[<sup>F18</sup>**17.** The offence under section 1(1) of the Criminal Damage Act 1971, but only if it is the prosecutor's case that—

- (a) the offence was not committed by destroying or damaging property by fire; and
- (b) the value involved, within the meaning of Schedule 2 to the Magistrates' Courts Act 1980, does not exceed £5,000.]]

**Changes to legislation:** There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999. (See end of Document for details)

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**Textual Amendments**

**F18** Sch. Pt. 2 para. 17 inserted (19.11.2012) by The Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment No. 3) Order 2012 (S.I. 2012/2681), arts. 1, 6

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**EXPLANATORY NOTE**

(This note is not part of the Order)

This Order revokes and re-enacts the provisions of the Prosecutions of Offences Act (Specified Proceedings) Order 1985 with amendments to take account of section 1 of the Magistrates' Courts (Procedure) Act 1998. It specifies proceedings for the offences set out in the Schedule for the purposes of section 3 of the Prosecution of Offences Act 1985 if those proceedings are commenced by the prosecution so as to give the accused the opportunity of pleading guilty by post under section 12 of the Magistrates' Courts Act 1980. Section 12 was amended by section 1 of the Magistrates' Courts (Procedures) Act 1998 to permit the prosecution to serve a witness statement or statements instead of a statement of facts. Proceedings cease to be specified if at any time a magistrates' court begins to receive evidence in those proceedings. The effect is that the duty of the Director of Public Prosecutions as Head of the Crown Prosecution Service to take over the conduct of all criminal proceedings instituted on behalf of a police force will not include a duty to take over the conduct of proceedings specified by this Order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999.