
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 28

WITNESS SUMMONSES AND ORDERS

Application to set aside witness summons issued of Crown Court's own motion

28.6.—(1) Rule 28.5 shall apply to an application under section 2E of the Criminal Procedure (Attendance of Witnesses) Act 1965(1) as it applies to an application under section 2C, subject to the following modifications.

(2) Paragraphs (2)(a) and (3) shall be omitted.

(3) In paragraphs (4) and (7), the words “and the person on whose application the witness summons was issued” shall be omitted.

(4) In paragraph (4), for the words “(where they agree to do so)”, there shall be substituted the words “(where he agrees to do so)”.

[Note. Formerly rule 23ZC of the Crown Court Rules 1982.]

(1) Section 2E was inserted by the Criminal Procedure and Investigations Act 1996 (c. 25), section 66(1) and (2) and amended by the Courts Act 2003 (c. 39), Schedule 8, paragraph 126(d).