

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Criminal Justice Act 1993 (c. 36)

141. In Part 5 of the Criminal Justice Act 1993 (insider dealing), after section 61 insert—

“Summary proceedings: venue and time limit for proceedings

61A.—(1) Summary proceedings for an offence of insider dealing may (without prejudice to any jurisdiction exercisable apart from this subsection) be brought against an individual at any place at which the individual is for the time being.

(2) An information relating to an offence of insider dealing that is triable by a magistrates’ court in England and Wales may be so tried if it is laid—

- (a) at any time within three years after the commission of the offence, and
- (b) within twelve months after the date on which evidence sufficient in the opinion of the Director of Public Prosecutions or the Secretary of State (as the case may be) to justify the proceedings comes to that person’s knowledge.

(3) Summary proceedings in Scotland for an offence of insider dealing—

- (a) must not be commenced after the expiration of three years from the commission of the offence;
- (b) subject to that, may be commenced at any time—
 - (i) within twelve months after the date on which evidence sufficient in the Lord Advocate’s opinion to justify the proceedings came to that person’s knowledge, or
 - (ii) where such evidence was reported to the Lord Advocate by the Secretary of State, within twelve months after the date on which it came to the knowledge of the latter.

Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of this subsection as for the purposes of that section.

(4) A magistrates’ court in Northern Ireland has jurisdiction to hear and determine a complaint charging the commission of a summary offence of insider dealing provided that the complaint is made—

- (a) within three years from the time when the offence was committed, and
- (b) within twelve months from the date on which evidence sufficient in the opinion of the Director of Public Prosecutions for Northern Ireland or the Secretary of State (as the case may be) to justify the proceedings comes to that person’s knowledge.

(5) For the purposes of this section a certificate of the Director of Public Prosecutions, the Lord Advocate, the Director of Public Prosecutions for Northern Ireland or the Secretary of State (as the case may be) as to the date on which such evidence as is referred to above came to that person’s notice is conclusive evidence.”.