

**2013 No. 3183 (L. 25)**

**SENIOR COURTS OF ENGLAND AND WALES**  
**MAGISTRATES' COURTS, ENGLAND AND WALES**

**The Criminal Procedure (Amendment No. 2) Rules 2013**

*Made* - - - - - *16th December 2013*

*Laid before Parliament* *17th December 2013*

*Coming into force in accordance with rule 2*

The Criminal Procedure Rule Committee makes the following Rules under section 69 of the Courts Act 2003(a), after consulting in accordance with section 72(1)(a) of that Act.

**Citation, commencement and interpretation**

1. These Rules may be cited as the Criminal Procedure (Amendment No. 2) Rules 2013.
2. Rule 7 of these Rules shall come into force on 24th February 2014 and rules 4, 5, 6, 8 and 9 on 7th April 2014.
3. In these Rules, a reference to a Part or rule by number alone means the Part or rule so numbered in the Criminal Procedure Rules 2013(b).

**Amendments to the Criminal Procedure Rules 2013**

4. In rule 2.2 (Definitions), in paragraph (1), for ‘the Lord Chief Justice’s Consolidated Criminal Practice Direction’ substitute ‘the Lord Chief Justice’s Criminal Practice Directions’.
5. In rule 5.8 (Supply to the public, including reporters, of information about a case)—
  - (a) for paragraph (1) substitute—

“(1) This rule—

    - (a) applies where a member of the public, including a reporter, wants information about a case from the court officer;
    - (b) requires the court officer to publish information about cases due to be heard.”;
  - (b) in paragraph (2), for ‘Such a person must’ substitute ‘A person who wants information about a case from the court officer must’; and
  - (c) after paragraph (8), insert—

“(9) The court officer must publish the information listed in paragraph (11) if—

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(a) 2003 c. 39; section 69 was amended by sections 15(1) and 146 of, and paragraphs 308 and 332 of Schedule 4 and Part 2 of Schedule 18 to, the Constitutional Reform Act 2005 (c. 4).  
(b) S.I. 2013/1554; amended by S.I. 2013/2525.

- (a) the information is available to the court officer;
  - (b) the hearing to which the information relates is due to take place in public; and
  - (c) the publication of the information is not prohibited by a reporting restriction.
- (10) The court officer must publish that information—
- (a) by notice displayed somewhere prominent in the vicinity of the court room in which the hearing is due to take place;
  - (b) by such other arrangements as the Lord Chancellor directs, including arrangements for publication by electronic means; and
  - (c) for no longer than 2 business days.
- (11) The information that paragraph (9) requires the court officer to publish is—
- (a) the date, time and place of the hearing;
  - (b) the identity of the defendant; and
  - (c) such other information as it may be practicable to publish concerning—
    - (i) the type of hearing,
    - (ii) the identity of the court,
    - (iii) the offence or offences alleged, and
    - (iv) whether any reporting restriction applies.”.

**6. In Part 9 (Allocation and sending for trial)—**

(a) in rule 9.2 (Exercise of magistrates’ court’s powers)—

- (i) in paragraph (5), for ‘deals with more than one offence alleged against the same defendant, it must deal with them’ substitute ‘deals with two or more offences alleged against the same defendant, the court must deal with those offences’, and
- (ii) after paragraph (5) insert—

“(6) Where the court on the same occasion deals with two or more defendants charged jointly with an offence that can be tried in the Crown Court then in the following sequence—

- (a) the court must explain, in terms each defendant can understand (with help, if necessary), that if the court sends one of them to the Crown Court for trial then the court must send for trial in the Crown Court, too, any other of them—
  - (i) who is charged with the same offence as the defendant sent for trial, or with an offence which the court decides is related to that offence,
  - (ii) who does not wish to plead guilty to each offence with which he or she is charged, and
  - (iii) (if that other defendant is under 18, and the court would not otherwise have sent him or her for Crown Court trial) where the court decides that sending is necessary in the interests of justice

even if the court by then has decided to allocate that other defendant for magistrates’ court trial; and
- (b) the court may ask the defendants questions to help it decide in what order to deal with them.

(7) After following paragraph (5), if it applies, where the court on the same occasion—

- (a) deals with two or more defendants charged jointly with an offence that can be tried in the Crown Court;
- (b) allocates any of them to a magistrates’ court for trial; and
- (c) then sends another one of them to the Crown Court for trial,

the court must deal again with each one whom, on that occasion, it has allocated for magistrates’ court trial.”;

- (b) in rule 9.7(3)(b)(i), after ‘there’ insert ‘or because the court for some other reason is required to send that offence for trial’.

7. In Part 12, insert the Part set out in the Schedule to these Rules.

8. In Part 62 (Contempt of court)—

- (a) in the note to rule 62.5 (Initial procedure on obstruction, disruption, etc.), before the first paragraph insert—

*“The conduct to which this rule applies is sometimes described as criminal contempt of court.”*; and

- (b) in the note to rule 62.9 (Initial procedure on failure to comply with court order, etc.), before the first paragraph insert—

*“The conduct to which this rule applies is sometimes described as civil contempt of court.”*.

9. In Part 76 (Costs)—

- (a) in rule 76.1 (When this Part applies), in paragraph (1)(c), after ‘rule 76.6’ insert ‘or rule 76.7’;

- (b) in the note to rule 76.1, for paragraph (h) substitute—

*“(h) section 52 of the Senior Courts Act 1981(a) and—*

*(i) rule 76.6, for the payment by a party of another party’s costs on an appeal to the Crown Court in any case not covered by (c) or (g),*

*(ii) rule 76.7, for the payment by a party of another party’s costs on an application to the Crown Court about the breach or variation of a deferred prosecution agreement, or on an application to lift the suspension of a prosecution after breach of such an agreement;”*;

- (c) in the note to rule 76.4 (Costs out of central funds)—

- (i) in sub-paragraph (a)(ii) of the last paragraph, delete ‘or’;

- (ii) after that sub-paragraph insert—

*“(iii) in the Crown Court, where the defendant has been sent for trial, the High Court gives permission to serve a draft indictment or the Court of Appeal orders a retrial and the defendant has been found financially ineligible for legal aid, or”*, and

- (iii) renumber sub-paragraph (a)(iii) accordingly;

- (d) in rule 76.7 (Costs on an application), for paragraph (1) substitute—

*“(1) This rule—*

- (a) applies where the court can order a party to pay another person’s costs in a case in which—

- (i) the court decides an application for the production in evidence of a copy of a bank record,

- (ii) a magistrates’ court or the Crown Court decides an application to terminate a football banning order,

- (iii) a magistrates’ court or the Crown Court decides an application to terminate a disqualification for having custody of a dog,

- (iv) the Crown Court allows an application to withdraw a witness summons, or

- (v) the Crown Court decides an application relating to a deferred prosecution agreement under rule 12.5 (breach), rule 12.6 (variation) or rule 12.7 (lifting suspension of prosecution);

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(a) 1981 c. 54. The Act’s title was amended by section 59(5) of, and paragraph 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4).

- (b) authorises the Crown Court, in addition to its other powers, to order a party to pay another party's costs on an application to that court under rule 12.5, 12.6 or 12.7."; and
- (e) in the note to rule 76.7, after paragraph (e) insert—
- “Section 52 of the Senior Courts Act 1981 allows rules of court to authorise the Crown Court to order costs.”.*

*Thomas of Cwmgiedd, C.J.  
Rafferty, L.J.  
Leveson, P.  
Openshaw, J.  
Anna Guggenheim  
Martin Picton  
Stephen Earl  
Nicholas Moss  
Richard Chown  
Tessa Szagun  
Alison Saunders  
Patrick Gibbs  
Nathaniel Rudolf  
Michael Caplan  
Paul Harris  
Lynne Owens  
Matthew Evans*

I allow these Rules, which shall come into force in accordance with rule 2.

16th December 2013

*Chris Grayling*  
Lord Chancellor

**“PART 12**  
**DEFERRED PROSECUTION AGREEMENTS**

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**When this Part applies**

**12.1.**—(1) This Part applies to proceedings in the Crown Court under Schedule 17 to the Crime and Courts Act 2013(a).

(2) In this Part—

- (a) ‘agreement’ means a deferred prosecution agreement under paragraph 1 of that Schedule;
- (b) ‘prosecutor’ means a prosecutor designated by or under paragraph 3 of that Schedule; and
- (c) ‘defendant’ means the corporation, partnership or association with whom the prosecutor proposes to enter, or enters, an agreement.

*[Note. Under Schedule 17 to the Crime and Courts Act 2013, a designated prosecutor may make a deferred prosecution agreement with a defendant, other than an individual, whom the prosecutor is considering prosecuting for an offences or offences listed in that Schedule. Under such an agreement, the defendant agrees to comply with its terms and the prosecutor agrees that, if the Crown Court approves those terms, then paragraph 2 of the Schedule will apply and—*

- (a) the prosecutor will serve a draft indictment charging the defendant with the offence or offences the subject of the agreement;*
- (b) the prosecution will be suspended under that paragraph, and the suspension may not be lifted while the agreement is in force; and*
- (c) no-one may prosecute the defendant for the offence or offences charged while the agreement is in force, or after it expires if the defendant complies with it.*

*The Code for prosecutors issued under paragraph 6 of that Schedule contains guidance on the exercise of prosecution functions in relation to a deferred prosecution agreement.]*

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(a) 2013 c. 22; Schedule 17 comes into force on a date to be appointed.

## Exercise of court's powers

**12.2.**—(1) The court must determine an application to which this Part applies at a hearing, which—

- (a) must be in private, under rule 12.3 (Application to approve a proposal to enter an agreement);
- (b) may be in public or private, under rule 12.4 (Application to approve the terms of an agreement), rule 12.6 (Application to approve a variation of the terms of an agreement) or rule 12.9 (Application to postpone the publication of information by the prosecutor);
- (c) must be in public, under rule 12.5 (Application on breach of agreement) or rule 12.7 (Application to lift suspension of prosecution), unless the court otherwise directs.

(2) If at a hearing in private to which rule 12.4 or rule 12.6 applies the court approves the agreement or the variation proposed, the court must announce its decision and reasons at a hearing in public.

(3) The court must not determine an application under rule 12.3, rule 12.4 or rule 12.6 unless—

- (a) both parties are present;
- (b) the prosecutor provides the court with a written declaration that, for the purposes of the application—
  - (i) the investigator enquiring into the alleged offence or offences has certified that no information has been supplied which the investigator knows to be inaccurate, misleading or incomplete, and
  - (ii) the prosecutor has complied with the prosecution obligation to disclose material to the defendant; and
- (c) the defendant provides the court with a written declaration that, for the purposes of the application—
  - (i) the defendant has not supplied any information which the defendant knows to be inaccurate, misleading or incomplete, and
  - (ii) the individual through whom the defendant makes the declaration has made reasonable enquiries and believes the defendant's declaration to be true.

(4) The court must not determine an application under rule 12.5 or rule 12.7—

- (a) in the prosecutor's absence; or
- (b) in the absence of the defendant, unless the defendant has had at least 28 days in which to make representations.

(5) If the court approves a proposal to enter an agreement—

- (a) the general rule is that any further application to which this Part applies must be made to the same judge; but
- (b) the court may direct other arrangements.

(6) The court may adjourn a hearing—

- (a) if either party asks, or on its own initiative;
- (b) in particular, if the court requires more information about—
  - (i) the facts of an alleged offence,
  - (ii) the terms of a proposal to enter an agreement, or of a proposed agreement or variation of an agreement, or
  - (iii) the circumstances in which the prosecutor wants the court to decide whether the defendant has failed to comply with the terms of an agreement.

(7) The court may—

- (a) hear an application under rule 12.4 immediately after an application under rule 12.3, if the court approves a proposal to enter an agreement;
- (b) hear an application under rule 12.7 immediately after an application under rule 12.5, if the court terminates an agreement.

*[Note. See paragraphs 7(4), 8(5), (6) and 10(5), (6) of Schedule 17 to the Crime and Courts Act 2013.*

*The Code for prosecutors issued under paragraph 6 of that Schedule contains guidance on fulfilling the prosecution duty of disclosure.]*

### **Application to approve a proposal to enter an agreement**

**12.3.**—(1) This rule applies where a prosecutor wants the court to approve a proposal to enter an agreement.

(2) The prosecutor must—

- (a) apply in writing after the commencement of negotiations between the parties but before the terms of agreement have been settled; and
- (b) serve the application on—
  - (i) the court officer, and
  - (ii) the defendant.

(3) The application must—

- (a) identify the parties to the proposed agreement;
- (b) attach a proposed indictment setting out such of the offences listed in Part 2 of Schedule 17 to the Crime and Courts Act 2013 as the prosecutor is considering;
- (c) include or attach a statement of facts proposed for inclusion in the agreement, which must give full particulars of each alleged offence, including details of any alleged financial gain or loss;
- (d) include any information about the defendant that would be relevant to sentence in the event of conviction for the offence or offences;
- (e) specify the proposed expiry date of the agreement;
- (f) describe the proposed terms of the agreement, including details of any—
  - (i) monetary penalty to be paid by the defendant, and the time within which any such penalty is to be paid,
  - (ii) compensation, reparation or donation to be made by the defendant, the identity of the recipient of any such payment and the time within which any such payment is to be made,
  - (iii) surrender of profits or other financial benefit by the defendant, and the time within which any such sum is to be surrendered,
  - (iv) arrangement to be made in relation to the management or conduct of the defendant’s business,
  - (v) co-operation required of the defendant in any investigation related to the offence or offences,
  - (vi) other action required of the defendant,
  - (vii) arrangement to monitor the defendant’s compliance with a term,
  - (viii) consequence of the defendant’s failure to comply with a term, and
  - (ix) prosecution costs to be paid by the defendant, and the time within which any such costs are to be paid;
- (g) in relation to those terms, explain how they comply with—

- (i) the requirements of the code issued under paragraph 6 of Schedule 17 to the Crime and Courts Act 2013, and
- (ii) any sentencing guidelines or guideline cases which apply;
- (h) contain or attach the defendant's written consent to the proposal; and
- (i) explain why—
  - (i) entering into an agreement is likely to be in the interests of justice, and
  - (ii) the proposed terms of the agreement are fair, reasonable and proportionate.
- (4) If the proposed statement of facts includes assertions that the defendant does not admit, the application must—
  - (a) specify the facts that are not admitted; and
  - (b) explain why that is immaterial for the purposes of the proposal to enter an agreement.

*[Note. See paragraphs 5 and 7 of Schedule 17 to the Crime and Courts Act 2013.]*

### **Application to approve the terms of an agreement**

**12.4.**—(1) This rule applies where—

- (a) the court has approved a proposal to enter an agreement on an application under rule 12.3; and
- (b) the prosecutor wants the court to approve the terms of the agreement.

(2) The prosecutor must—

- (a) apply in writing as soon as practicable after the parties have settled the terms; and
- (b) serve the application on—
  - (i) the court officer, and
  - (ii) the defendant.

(3) The application must—

- (a) attach the agreement;
- (b) indicate in what respect, if any, the terms of the agreement differ from those proposed in the application under rule 12.3;
- (c) contain or attach the defendant's written consent to the agreement;
- (d) explain why—
  - (i) the agreement is in the interests of justice, and
  - (ii) the terms of the agreement are fair, reasonable and proportionate;
- (e) attach a draft indictment, charging the defendant with the offence or offences the subject of the agreement; and
- (f) include any application for the hearing to be in private.

(4) If the court approves the agreement and the draft indictment, the court officer must—

- (a) sign and date the indictment, as if the draft had been served under rule 14.1 (Service and signature of indictment); and
- (b) treat the case as if it had been suspended by order of the court.

*[Note. See paragraph 8 of Schedule 17 to the Crime and Courts Act 2013. See also rule 12.9 (Application to postpone the publication of information by the prosecutor).]*



*Under paragraph 2(1) of Schedule 17 to the 2013 Act and section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1933(a), the draft indictment to which this rule applies becomes an indictment when the court approves the agreement and consents to the service of that draft. Part 14 contains rules about indictments.*

*Under paragraph 2(2) of Schedule 17 to the 2013 Act, on approval of the draft indictment the proceedings are automatically suspended.*

*Under paragraph 13(2) of Schedule 17 to the 2013 Act, where the court approves an agreement the statement of facts contained in that agreement is to be treated as an admission by the defendant under section 10 of the Criminal Justice Act 1967(b) (proof by formal admission) in any criminal proceedings against the defendant for the alleged offence.]*

### **Application on breach of agreement**

**12.5.**—(1) This rule applies where—

- (a) the prosecutor believes that the defendant has failed to comply with the terms of an agreement; and
- (b) the prosecutor wants the court to decide—
  - (i) whether the defendant has failed to comply, and
  - (ii) if so, whether to terminate the agreement, or to invite the parties to agree proposals to remedy that failure.

(2) The prosecutor must—

- (a) apply in writing, as soon as practicable after becoming aware of the grounds for doing so; and
- (b) serve the application on—
  - (i) the court officer, and
  - (ii) the defendant.

(3) The application must—

- (a) specify each respect in which the prosecutor believes the defendant has failed to comply with the terms of the agreement, and explain the reasons for the prosecutor's belief; and
- (b) attach a copy of any document containing evidence on which the prosecutor relies.

(4) A defendant who wants to make representations in response to the application must serve the representations on—

- (a) the court officer; and
- (b) the prosecutor,

not more than 28 days after service of the application.

*[Note. See paragraph 9 of Schedule 17 to the Crime and Courts Act 2013. See also rule 12.9 (Application to postpone the publication of information by the prosecutor).]*

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- (a) 1933 c. 36; section 2 was amended by Part IV of Schedule 11 to, the Courts Act 1971 (c. 23), Schedule 5 to, the Senior Courts Act 1981 (c. 54), Schedule 2 to the Prosecution of Offences Act 1985 (c. 23), paragraph 1 of Schedule 2 to the Criminal Justice Act 1987 (c. 38), paragraph 10 of Schedule 15 to the Criminal Justice Act 1988 (c. 33), paragraph 8 of Schedule 6 to the Criminal Justice Act 1991 (c. 53), Schedule 1 to the Statute Law (Repeals) Act 1993, paragraph 17 of Schedule 1 to the Criminal Procedure and Investigations Act 1996 (c. 25), paragraph 5 of Schedule 8 to the Crime and Disorder Act 1998 (c. 37), paragraph 1 of the Schedule to S.I. 2004/2035, paragraph 34 of Schedule 3 and Part 4 of Schedule 37 to the Criminal Justice Act 2003 (c. 44) and sections 116 and 178 of, and Part 3 of Schedule 23 to, the Coroners and Justice Act 2009 (c. 25). It is further amended by paragraph 32 of Schedule 17 to the Crime and Courts Act 2013 (c. 22), with effect from a date to be appointed.
  - (b) 1967 c. 80.

### **Application to approve a variation of the terms of an agreement**

**12.6.**—(1) This rule applies where the parties have agreed to vary the terms of an agreement because—

- (a) on an application under rule 12.5 (Application on breach of agreement), the court has invited them to do so; or
- (b) variation of the agreement is necessary to avoid a failure by the defendant to comply with its terms in circumstances that were not, and could not have been, foreseen by either party at the time the agreement was made.

(2) The prosecutor must—

- (a) apply in writing, as soon as practicable after the parties have settled the terms of the variation; and
- (b) serve the application on—
  - (i) the court officer, and
  - (ii) the defendant.

(3) The application must—

- (a) specify each variation proposed;
- (b) contain or attach the defendant’s written consent to the variation;
- (c) explain why—
  - (i) the variation is in the interests of justice, and
  - (ii) the terms of the agreement as varied are fair, reasonable and proportionate; and
- (d) include any application for the hearing to be in private.

*[Note. See paragraph 10 of Schedule 17 to the Crime and Courts Act 2013. See also rule 12.9 (Application to postpone the publication of information by the prosecutor).]*

### **Application to lift suspension of prosecution**

**12.7.**—(1) This rule applies where—

- (a) the court terminates an agreement before its expiry date; and
- (b) the prosecutor wants the court to lift the suspension of the prosecution that applied when the court approved the terms of the agreement.

(2) The prosecutor must—

- (a) apply in writing, as soon as practicable after the termination of the agreement; and
- (b) serve the application on—
  - (i) the court officer, and
  - (ii) the defendant.

(3) A defendant who wants to make representations in response to the application must serve the representations on—

- (a) the court officer; and
- (b) the prosecutor,

not more than 28 days after service of the application.

*[Note. See paragraphs 2(3) and 9 of Schedule 17 to the Crime and Courts Act 2013.]*

### **Notice to discontinue prosecution**

**12.8.**—(1) This rule applies where an agreement expires—

- (a) on its expiry date, or on a date treated as its expiry date; and

- (b) without having been terminated by the court.
- (2) The prosecutor must—
  - (a) as soon as practicable give notice in writing discontinuing the prosecution on the indictment approved by the court under rule 12.4 (Application to approve the terms of an agreement); and
  - (b) serve the notice on—
    - (i) the court officer, and
    - (ii) the defendant.

*[Note. See paragraph 11 of Schedule 17 to the Crime and Courts Act 2013.]*

**Application to postpone the publication of information by the prosecutor**

- 12.9.**—(1) This rule applies where the prosecutor—
- (a) makes an application under rule 12.4 (Application to approve the terms of an agreement), rule 12.5 (Application on breach of agreement) or rule 12.6 (Application to approve a variation of the terms of an agreement);
  - (b) decides not to make an application under rule 12.5, despite believing that the defendant has failed to comply with the terms of the agreement; or
  - (c) gives a notice under rule 12.8 (Notice to discontinue prosecution).
- (2) A party who wants the court to order that the publication of information by the prosecutor about the court’s or the prosecutor’s decision should be postponed must—
- (a) apply in writing, as soon as practicable and in any event before such publication occurs;
  - (b) serve the application on—
    - (i) the court officer, and
    - (ii) the other party; and
  - (c) in the application—
    - (i) specify the proposed terms of the order, and for how long it should last, and
    - (ii) explain why an order in the terms proposed is necessary.

*[Note. See paragraph 12 of Schedule 17 to the Crime and Courts Act 2013.]*

*Part 16 of these Rules contains rules about applications for a restriction on reporting what takes place at a public hearing, or public access to what otherwise would be a public hearing.]*

**Duty of court officer, etc.**

- 12.10.**—(1) Unless the court otherwise directs, the court officer must—
- (a) arrange for the recording of proceedings on an application to which this Part applies;
  - (b) arrange for the transcription of such a recording if—
    - (i) a party wants such a transcript, or
    - (ii) anyone else wants such a transcript (but that is subject to the restrictions in paragraph (2)).
- (2) Unless the court otherwise directs, a person who transcribes a recording of proceedings under such arrangements—
- (a) must not supply anyone other than a party with a transcript of a recording of—
    - (i) a hearing in private, or

- (ii) a hearing in public to which reporting restrictions apply;
- (b) subject to that, must supply any person with any transcript for which that person asks—
  - (i) in accordance with the transcription arrangements made by the court officer, and
  - (ii) on payment by that person of any fee prescribed.
- (3) The court officer must not identify either party to a hearing in private under rule 12.3 (Application to approve a proposal to enter an agreement) or rule 12.4 (Application to approve the terms of an agreement)—
  - (a) in any notice displayed in the vicinity of the courtroom; or
  - (b) in any other information published by the court officer.

**Court’s power to vary requirements under this Part**

**12.11.**—(1) The court may—

- (a) shorten or extend (even after it has expired) a time limit under this Part;
  - (b) allow there to be made orally—
    - (i) an application under rule 12.4 (Application to approve the terms of an agreement), or
    - (ii) an application under rule 12.7 (Application to lift suspension of prosecution) where the court exercises its power under rule 12.2(7) to hear one application immediately after another.
- (2) A party who wants an extension of time must—
- (a) apply when serving the application or notice for which it is needed; and
  - (b) explain the delay.”

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules make the following amendments to the Criminal Procedure Rules 2013, S.I. 2013/1554:

<i>Rule</i>	<i>Amendment</i>
Part 2	Rule 2.2 is amended to substitute the new title of the Lord Chief Justice's Practice Directions.
Part 5	Rule 5.8 is amended to require the publication of specified details of cases due to be heard.
Part 9	Rule 9.2 is amended to supply the procedure the court must follow where either section 51(7) or section 51A(6) of the Crime and Disorder Act 1998 applies (defendants jointly charged with an offence that can be tried either in the Crown Court or in a magistrates' court and who are dealt with on the same occasion). Rule 9.7 is amended in consequence.
Part 12	New rules are inserted to supply the procedure in proceedings under Schedule 17 to the Crime and Courts Act 2013, which provides for deferred prosecution agreements.
Part 76	Rule 76.7 and the note to that rule are amended to provide for costs orders to be made in connection with deferred prosecution agreements, and rule 76.1 and the note to that rule are amended in consequence.

The notes to rules 62.5 and 62.9 are amended to include references to the names by which the types of contempt of court with which each rule deals are sometimes described elsewhere.

The note to rule 76.4 is amended to take account of the Costs in Criminal Cases (General) (Amendment) (No 2) Regulations 2013, S.I. 2013/2830.

The new Part 12 comes into force on 24th February 2014 and the other changes made by these Rules come into force on 7th April 2014.

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£5.75

UK2013121614 12/2013 19585

<http://www.legislation.gov.uk/id/uksi/2013/3183>

ISBN 978-0-11-110749-2



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