
STATUTORY INSTRUMENTS

2021 No. 40

The Criminal Procedure (Amendment) Rules 2021

Amendments to the Criminal Procedure Rules

- 12.** In Part 24 (Trial and sentence in a magistrates' court)—
- (a) in the note to rule 24.1 (When this Part applies), in the second paragraph, for “section 9 of the Powers of Criminal Courts (Sentencing) Act 2000(1)” substitute “section 27 of the Sentencing Act 2020(2)”;
 - (b) in the note to rule 24.11 (Procedure if the court convicts)—
 - (i) in the first paragraph, for “sections 143, 158, 164, 172 and 174 of the Criminal Justice Act 2003(3)” substitute “Sections 31, 52, 59, 63, 124, 125 and 126 of the Sentencing Act 2020”;
 - (ii) in the fourth paragraph, for “section 162 of the Criminal Justice Act 2003(4)” substitute “section 35 of the Sentencing Act 2020”;
 - (iii) in the sixth paragraph, for “section 156 of the Criminal Justice Act 2003(5)” substitute “section 30 of the Sentencing Act 2020”;
 - (iv) in the seventh paragraph, for “section 159 of the Criminal Justice Act 2003(6)” substitute “section 32(3) of the Sentencing Act 2020”;
 - (v) in the eighth paragraph, for “section 8 of the Powers of Criminal Courts (Sentencing) Act 2000(7)” substitute ““section 25 of the Sentencing Act 2020””;
 - (vi) in the thirteenth paragraph, for “section 174(4) of the Criminal Justice Act 2003(8)” substitute “section 52(4) of the Sentencing Act 2020”;
 - (vii) in the fourteenth paragraph, for “sections 3, 3A, 3B, 3C, 4, 4A and 6 of the Powers of Criminal Courts (Sentencing) Act 2000(9)” substitute “sections 14, 15, 16, 17, 18, 19 and 20 of the Sentencing Act 2020”;
 - (viii) in the fifteenth paragraph, for “section 1 of the 2000 Act(10)” substitute “section 3 of the Sentencing Act 2020”;
 - (c) in rule 24.15 (Duty of court officer)—
 - (i) for the heading to the rule substitute “Duty of court officer and custodian”;
 - (ii) the existing text becomes paragraph (1),
 - (iii) after paragraph (1) insert—

(1) 2000 c. 6; section 9 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(2) 2020 c. 17.
(3) 2003 c. 44; sections 143, 158, 164, 172 and 174 were repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(4) 2003 c. 44; section 162 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(5) 2003 c. 44; section 156 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(6) 2003 c. 44; section 159 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(7) 2000 c. 6; section 8 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(8) 2003 c. 44; section 174 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(9) 2000 c. 6; sections 3, 3A, 3B, 3C, 4, 4A and 6 were repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).
(10) 2000 c. 6; section 1 was repealed by section 413 of, and Schedule 28 to, the Sentencing Act 2020 (c. 17).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(2) Where the court passes a sentence of immediate imprisonment or detention, or orders a suspended sentence of imprisonment to take effect, by this rule—

(a) the court requires the defendant to provide, in writing or orally, his or her nationality; and

(b) the custodian must obtain that information and record it.”, and

(iv) at the end of the note to the rule insert—

“Under section 86A of the Courts Act 2003(11), Criminal Procedure Rules must specify stages of proceedings at which the court must require the information to which rule 24.15(2) refers. A person commits an offence if, without reasonable excuse, that person fails to comply with such a requirement, whether by providing false or incomplete information or by providing no information.”; and

(d) amend the table of contents correspondingly.

(11) 2003 c. 39; section 86A was inserted by section 162 of the Policing and Crime Act 2017 (c. 3).