Criminal Law Act 1977

1977 CHAPTER 45

PART III

CRIMINAL PROCEDURE, PENALTIES, ETC.

Other provisions

41, 42. . . . . **F1**

Textual Amendments

F1   Ss. 41, 42, 45 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), **Sch. 9**

43   . . . . **F2**

Textual Amendments

F2   S. 43 repealed by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 170, Sch. 8 para. 16, **Sch. 16**

F3 44   . . . .

Textual Amendments

F3   S. 44 repealed (1.1.1996) by 1995 c. 35, s. 29(2), **Sch.3**; S.I. 1995/3061, **art. 3(i)(iii)**.

45   . . . . **F4**

Status: Point in time view as at 01/10/2007.
Changes to legislation: Criminal Law Act 1977, Cross Heading: Other provisions is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F4   S. 39(3)(*b*) added by Criminal Justice (Scotland) Act 1980 (c. 62, SIF 39:1), **Sch. 7 para. 79**(*b*)

F5**46**   . . . .

Textual Amendments

F5   S. 46 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

F6**47**   . . . .

Textual Amendments

F6   S. 47 repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), **ss. 5(2)**, 101(2),Sch. 13 (with ss. 28, 101(1), Sch. 12 para. 1); S.I. 1992/333, art. 2(2), **Sch.2**.

48   Power to make rules as to furnishing of information by prosecutor in criminal proceedings.

(1) **[F7Criminal Procedure Rules may]** make, with respect to proceedings against any person for a prescribed offence or an offence of any prescribed class, provision—

    (a)   for requiring the prosecutor to do such things as may be prescribed for the purpose of securing that the accused or a person representing him is furnished with, or can obtain, advance information concerning all, or any prescribed class of, the facts and matters of which the prosecutor proposes to adduce evidence; and

    (b)   for requiring a magistrates' court, if satisfied that any requirement imposed by virtue of paragraph (*a*) above has not been complied with, to adjourn the proceedings pending compliance with that requirement unless the court is satisfied that the conduct of the case for the accused will not be substantially prejudiced by non-compliance with the requirement.

(2) Rules made by virtue of subsection (1)(*a*) above—

    (a)   may require the prosecutor to do as provided in the rules either—

        (i) in all cases; or

        (ii) only if so requested by or on behalf of the accused;

    (b)   may exempt facts and matters of any prescribed description from any requirement imposed by the rules, and may make the opinion of the prosecutor material for the purposes of any such exemption; and

    (c)   may make different provision with respect to different offences or offences of different classes.

(3) It shall not open to person convicted of an offence to appeal against the conviction on the ground that a requirement imposed by virtue of subsection (1) above was not complied with by the prosecutor.

Status: *Point in time view as at 01/10/2007.*

Changes to legislation: *Criminal Law Act 1977, Cross Heading: Other provisions is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

F7   Words in s. 48(1) substituted (1.9.2004) by Courts Act 2003 (c. 39), s. 110(1), **Sch. 8 para. 190**; S.I. 2004/2066, art. 2(c)(x) (with art. 3)

[F8]**49**   ·

Textual Amendments

F8   S. 49 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Status:
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