



# Prosecution of Offences Act 1985

## 1985 CHAPTER 23

### PART I

#### THE CROWN PROSECUTION SERVICE

#### *Constitution and functions of Service*

#### **7 Delivery of recognizances etc. to Director**

- (1) Where the Director or any Crown Prosecutor gives notice to any justice of the peace that he has instituted, or is conducting, any criminal proceedings, the justice shall—
- at the prescribed time and in the prescribed manner; or
  - in a particular case, at the time and in the manner directed by the Attorney General;

send him every recognizance, information, certificate, deposition, document and thing connected with those proceedings which the justice is required by law to deliver to the appropriate officer of the Crown Court.

- (2) The Attorney General may make regulations for the purpose of supplementing this section; and in subsection (1) above "prescribed" means prescribed by the regulations.
- (3) The Director or, as the case may be, Crown Prosecutor shall—
- subject to the regulations, cause anything which is sent to him under subsection (1) above to be delivered to the appropriate officer of the Crown Court; and
  - be under the same obligation (on the same payment) to deliver to an applicant copies of anything so sent as that officer.
- (4) It shall be the duty of every justices' clerk to send to the Director, in accordance with the regulations, a copy of the information and of any depositions and other documents relating to any case in which—
- a prosecution for an offence before the magistrates' court to which he is clerk is withdrawn or is not proceeded with within a reasonable time ;

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*Status: This is the original version (as it was originally enacted).*

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- (b) the Director does not have the conduct of the proceedings ; and
- (c) there is some ground for suspecting that there is no satisfactory reason for the withdrawal or failure to proceed.