



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART IV

RULINGS

39 Meaning of pre-trial hearing.

- (1) For the purposes of this Part a hearing is a pre-trial hearing if it relates to a trial on indictment and it takes place—
 - [^{F1}(a) after the accused has been sent for trial for the offence, and]
 - (b) before the start of the trial.
- (2) For the purposes of this Part a hearing is also a pre-trial hearing if—
 - (a) it relates to a trial on indictment to be held in pursuance of a bill of indictment preferred under the authority of section 2(2)(b) of the ^{M1}Administration of Justice (Miscellaneous Provisions) Act 1933 (bill preferred by direction of Court of Appeal, or by direction or with consent of a judge), and
 - (b) it takes place after the bill of indictment has been preferred and before the start of the trial.
- (3) For the purposes of this section the start of a trial on indictment occurs when a jury is sworn to consider the issue of guilt or fitness to plead or, if the court accepts a plea of guilty before a jury is sworn, when that plea is accepted; but this is subject to section 8 of the ^{M2}Criminal Justice Act 1987 and section 30 of this Act (preparatory hearings).

Extent Information

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in Schedule 4; see s. 79

Status: Point in time view as at 09/05/2005. This version of this provision has been superseded.

Changes to legislation: Criminal Procedure and Investigations Act 1996, Section 39 is up to date with all changes known to be in force on or before 10 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

- F1** S. 39(1)(a) substituted (9.5.2005 for specified purposes, 18.6.2012 for specified purposes) by **Criminal Justice Act 2003 (c. 44)**, s. 336(3)(4), **Sch. 3 para. 66(7)**; S.I. 2005/1267, art. 2(1)(2)(a), Sch. Pt. 1; S.I. 2012/1320, art. 4(1)(c)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4)

Marginal Citations

- M1** 1933 c. 36.
M2 1987 c. 38.

Status:

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Changes to legislation:

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