



Serious Organised Crime and Police Act 2005

2005 CHAPTER 15

PART 2

INVESTIGATIONS, PROSECUTIONS, PROCEEDINGS AND PROCEEDS OF CRIME

CHAPTER 2

OFFENDERS ASSISTING INVESTIGATIONS AND PROSECUTIONS

71 Assistance by offender: immunity from prosecution

- (1) If a specified prosecutor thinks that for the purposes of the investigation or prosecution of any offence it is appropriate to offer any person immunity from prosecution he may give the person a written notice under this subsection (an “immunity notice”).
- (2) If a person is given an immunity notice, no proceedings for an offence of a description specified in the notice may be brought against that person in England and Wales or Northern Ireland except in circumstances specified in the notice.
- (3) An immunity notice ceases to have effect in relation to the person to whom it is given if the person fails to comply with any conditions specified in the notice.
- (4) Each of the following is a specified prosecutor—
 - (a) the Director of Public Prosecutions;
 - (b) the Director of Revenue and Customs Prosecutions;
 - (c) the Director of the Serious Fraud Office;
 - (d) the Director of Public Prosecutions for Northern Ireland;
 - (e) a prosecutor designated for the purposes of this section by a prosecutor mentioned in paragraphs (a) to (d).

Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.

Changes to legislation: Serious Organised Crime and Police Act 2005, Section 71 is up to date with all changes known to be in force on or before 05 July 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)

- (5) The Director of Public Prosecutions or a person designated by him under subsection (4)(e) may not give an immunity notice in relation to proceedings in Northern Ireland.
- (6) The Director of Public Prosecutions for Northern Ireland or a person designated by him under subsection (4)(e) may not give an immunity notice in relation to proceedings in England and Wales.
- (7) An immunity notice must not be given in relation to an offence under section 188 of the Enterprise Act 2002 (c. 40) (cartel offences).

Commencement Information

II S. 71 in force at 1.4.2006 by [S.I. 2006/378](#), [art. 5\(1\)](#)

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