

2004 No.1292 (L. 6)

SUPREME COURT OF ENGLAND AND WALES

The Crown Court (Amendment No. 2) Rules 2004

Made - - - - - *5th May 2004*

Laid before Parliament *11th May 2004*

Coming into force - - - *1st June 2004*

We, the Crown Court Rule Committee, in exercise of the powers conferred on us by sections 84(1), 84(2) and 86 of the Supreme Court Act 1981(a) make the following Order:

Citation and commencement

1. These Rules may be cited as the Crown Court (Amendment No. 2) Rules 2004 and shall come into force on 1st June 2004.

Amendment to Crown Court Rules 1982(b)

2. In rule 27(2) (c), the words “but not including an application under section 76(3) of the Supreme Court Act 1981 (application for direction varying the place of trial on indictment)” shall be omitted.

Falconer of Thoroton, C

Date 5th May 2004

Lord Chancellor
Department for Constitutional Affairs

Kay, L.J.
Potter, L.J.
Master Venne
D. Matheson, Q.C.
C. Hagan, Q.C.
E. Barnett, J.P.
J. Pegden
E. Smith
G. White

(a) 1981 c. 54.
(b) S.I. 1982/1109, to which there are amendments not relevant to these Rules.

EXPLANATORY NOTE

(This note is not part of the Order)

Rule 27 of the Crown Court Rules 1982 provides that certain matters before the Crown Court may be heard by a judge sitting in Chambers. Those matters are specified in paragraph (2) (a) to (h) of rule 27. Paragraph (2)(c) provides that those matters include applications relating to procedural matters, but do not include an application to vary the place of trial made under section 76(3) of the Supreme Court Act 1981. This reflected the provision of section 76(4) of the Supreme Court Act 1981 (repealed by the Courts Act 2003, s 86, 109(3), Sch 10), that such applications must be heard in open court by a judge of the High Court.

Following the repeal of section 76(4) of the Supreme Court Act 1981, these Rules amend rule 27 so as to allow an application to vary the place of trial to be heard by a judge in chambers.

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