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STATUTORY INSTRUMENTS

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**2005 No. 384**

**The Criminal Procedure Rules 2005**

**PART 15**

**PREPARATORY HEARINGS IN CASE OF SERIOUS FRAUD AND  
OTHER COMPLEX OR LENGTHY CASES IN THE CROWN COURT**

**Application for a preparatory hearing**

**15.1.**—(1) An application under section 7(2) of the Criminal Justice Act 1987<sup>(1)</sup> or section 29(4) of the Criminal Procedure and Investigations Act 1996<sup>(2)</sup> (for an order that a preparatory hearing be held) shall be made in the form set out in the Practice Direction, shall be served on the Crown Court officer, and shall include a concise statement of the grounds, having regard to the matters specified in section 7(1) of the 1987 Act<sup>(3)</sup>, or section 29(1) and (2) of the 1996 Act<sup>(4)</sup>, for the making of the application.

(2) The person making the application shall, at the same time as he serves the application on the Crown Court officer, as referred to in paragraph (1), serve a copy of the application on the other party or, if there is more than one, each of the other parties in the case.

*[Note. Formerly rule 3 of the Criminal Justice Act 1987 (Preparatory Hearings) Rules 1997<sup>(5)</sup> and rule 3 of the Criminal Procedure and Investigations Act 1996 (Preparatory Hearings) Rules 1997<sup>(6)</sup>. See also sections 7 to 9A of the Criminal Justice Act 1987 and sections 29 to 32 of the Criminal Procedure and Investigations Act 1996. On the coming into force of section 309 of the Criminal Justice Act 2003<sup>(7)</sup> seriousness will be added to length and complexity as grounds for holding a preparatory hearing in cases other than fraud.]*

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- (1) 1987 c. 38.  
(2) 1996 c. 25; section 29(4) is amended by section 45 of the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed.  
(3) Section 7(1) was amended by section 168(1) of, and paragraph 30 of Schedule 9 to, the Criminal Justice and Public Order Act 1994 (c. 33), and is further amended by sections 45 and 310 of, and paragraphs 52 and 53 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed.  
(4) Section 29(1) is amended by section 309 of, and paragraphs 65 and 66 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed; section 29(2) is amended by sections 45 and 310 of the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed.  
(5) S.I. 1997/1051.  
(6) S.I. 1997/1052.  
(7) 2003 c. 44.