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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules add the following new provisions to the Criminal Procedure Rules 2005:

- in Part 3 (Case management) a new rule 3.5(6) that sets out the sanctions a court may impose for failure to comply with a procedure rule or a procedural direction; a new rule 3.8(2) that requires the Crown Court to conduct a plea and case management hearing unless that is unnecessary; a new rule 3.10, in substitution for the existing rule, that requires the court to establish the issues the parties intend to explore at the trial or at the appeal; and new explanatory notes.
- a new Part 50 (Civil behaviour orders after verdict or finding), in substitution for the existing Part 50 (Supplementary orders made on conviction), that prescribes the procedure for applying in criminal cases for an anti-social behaviour order or other civil behaviour order.
- a new Part 74 (Appeal or reference to the House of Lords), in substitution for the existing Part 74, that prescribes the procedure for applying to the Court of Appeal for permission to appeal, or to refer a case, to the House of Lords.
- new rules in Part 2 (Understanding and applying the Rules) explain when the new rules in Parts 50 and 74 will apply and make transitional provisions about other amendments made by these Rules.

In addition the following amendments are made:

- Part 65 (Appeal to the Court of Appeal: general rules) is amended to take account of the new rules in Part 74.
- Part 68 (Appeal to the Court of Appeal about conviction or sentence) is amended to take account of the provisions of the Serious Crime Act 2007 that confer rights of appeal in respect of a serious crime prevention order.
- Part 71 (Appeal to the Court of Appeal under the Proceeds of Crime Act 2002—general rules) is amended to take account of the changes to Part 65.
- Parts 57 to 62 (Proceeds of Crime Act 2002—rules for various proceedings) are amended to take account of the provisions of the Serious Crime Act 2007 that abolish the Assets Recovery Agency and that amend the provisions of the Proceeds of Crime Act 2002 to which the rules in those Parts apply.

The changes to Parts 57 to 62 come into force on 1st April 2008 and the other changes made by these Rules come into force on 7th April 2008.