
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of the Criminal Justice Act 2003 (“the 2003 Act”) specified in Article 2, for the purposes of the criminal proceedings specified in Article 3, with effect from 1 November 2009.

The effect of the Order is as follows. First, a police force, or a person authorised by a police force to institute criminal proceedings, may, under section 29 of the 2003 Act, institute criminal proceedings by issuing a written charge and requisition in a magistrates’ court sitting in the locations specified in Article 3(a). This Order extends the list of courts in which this procedure may be used.

Second, a person authorised under section 49 of the Vehicle Excise and Registration Act 1994 to conduct and appear in any proceedings involving the Secretary of State under that Act may institute criminal proceedings by issuing a written charge and requisition anywhere in England and Wales. This procedure is currently only available in Portsmouth Magistrates’ Court.

Third, criminal proceedings instituted by the Secretary of State for Work and Pensions or the Secretary of State for Health in England and Wales may be instituted by issuing a written charge and requisition.

The Criminal Justice Act 2003 (Commencement Order No. 16) Order 2007 ([S.I. 2007/1999](#)) and the Criminal Justice Act 2003 (Commencement Order No. 21) Order 2008 ([S.I. 2008/1424](#)) gave effect to the same provisions in the 2003 Act in relation to specified proceedings instituted in other specified magistrates’ courts.