
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the relevant period for the purposes of sections 5, 6 and 6C of the Criminal Procedure and Investigations Act 1996 (c. 25) (“the Act”). That period is the period within which the accused in criminal proceedings must give: a compulsory defence statement under section 5 of the Act; a voluntary defence statement under section 6 of the Act; or a notice of his or her intention to call any person, other than him or herself, as a witness at trial under section 6C of the Act. The Regulations extend to England and Wales only.

Regulation 2 provides for the relevant period to begin on the day the prosecutor complies, or purports to comply, with section 3 of the Act (initial duty of prosecutor to disclose). That period expires at the end of 14 days in respect of summary proceedings, or 28 days in respect of Crown Court proceedings. Any such period that ends on specified days such as weekends and bank holidays is to be treated as expiring on the next day that is not one of those specified days.

Regulation 3 provides for the extension of the relevant period by the court. The court can only grant an extension if satisfied that the accused could not reasonably have given a defence statement or given notification within the relevant period. There is no limit on the number of days by which the relevant period may be extended or the number of applications for extensions that may be made.

Regulation 4 revokes the [Criminal Procedure and Investigations Act 1996 \(Defence Disclosure Time Limits\) Regulations 1997 \(S.I. 1997/684\)](#) and the [Criminal Procedure and Investigations Act 1996 \(Notification of Intention to Call Defence Witnesses\) \(Time Limits\) Regulations 2010 \(S.I. 2010/214\)](#) subject to transitional provisions.