

2014 No. 1229

CRIMINAL LAW, ENGLAND AND WALES

**The Prosecution of Offences Act 1985 (Specified Proceedings)
(Amendment) Order 2014**

<i>Made</i> - - - -	<i>12 May 2014</i>
<i>Laid before Parliament</i>	<i>13 May 2014</i>
<i>Coming into force</i> - -	<i>9th June 2014</i>

The Attorney General, in exercise of the powers conferred by section 3(3) of the Prosecution of Offences Act 1985(a), makes the following Order.

Citation and commencement

1. This Order may be cited as the Prosecution of Offences Act 1985 (Specified Proceedings) (Amendment) Order 2014 and comes into force on 9th June 2014.

Amendment of the Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999

2.—(1) The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999(b) is amended as follows.

(2) In Part 1 of the Schedule, after paragraph 16 insert—

“**16A.** The offence under section 1 of the Theft Act 1968(c), but only if it is the prosecutor’s case that the offence constitutes low-value shoplifting within the meaning of section 22A(3) of the Magistrates’ Courts Act 1980(d).”.

12th May 2014

Dominic Grieve
Attorney General

(a) 1985 c. 23. There are amendments to section 3(3) which are not relevant to this Order.
(b) S.I. 1999/904. Paragraphs 6 to 16 of the Schedule were added by S.I. 2012/2681. There are amendments to the Schedule which are not relevant to this Order.
(c) 1968 c. 60.
(d) 1980 c. 43. Section 22A is inserted by section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12). Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 will come into force on 13th May 2014 (article 3 of, and paragraph 17 of the Schedule to, S.I. 2014/949).

EXPLANATORY NOTE

(This note is not part of the Order)

Section 3 of the Prosecution of Offences Act 1985 sets out the functions of the Director of Public Prosecutions. These include taking over the conduct of all criminal proceedings instituted on behalf of a police force, unless the proceedings are specified in an Order made by the Attorney General under section 3(3). The Prosecution of Offences Act 1985 (Specified Proceedings) Order 1999 (“the 1999 Order”) specifies certain such proceedings.

Article 2 of this Order amends the 1999 Order by adding a further offence, proceedings for which will be specified proceedings. That offence is the offence of theft, contrary to section 1 of the Theft Act 1968, in the circumstances where it is the prosecutor’s case that the offence constitutes “low-value shoplifting” within the meaning of section 22A of the Magistrates’ Courts Act 1980.

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£4.25

UK2014051217 05/2014 19585

<http://www.legislation.gov.uk/id/uksi/2014/1229>

ISBN 978-0-11-111480-3



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