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STATUTORY INSTRUMENTS

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**2015 No. 796**

**The Prosecution of Offences Act 1985  
(Criminal Courts Charge) Regulations 2015**

**Amount of the criminal courts charge**

3.—(1) The table in the Schedule, read with the provisions of this regulation, sets out the charge that must be ordered to be paid under section 21A(1) of the POA 1985 by class of case.

(2) Paragraph (3) applies where, following the summary conviction of a person (“P”) for an offence, a magistrates’ court commits P to the Crown Court for sentence and the Crown Court accordingly deals with P for the offence.

(3) The charge the Crown Court must order to be paid is the amount in column 2 of the table which corresponds to the amount the magistrates’ court would have had to order had P not been committed to the Crown Court for sentence.

(4) Paragraph (5) applies where more than one entry in column 1 of the table applies.

(5) The charge the court must order to be paid is the amount in column 2 which corresponds to the entry mentioned in paragraph (4) which results in the highest amount.

(6) Where a person (“P”) changes P’s plea from not guilty to guilty after the start of a summary or Crown Court trial the charge the court must order to be paid is the amount that would have applied if P had not changed the plea.

(7) For the purposes of paragraph (6)—

(a) the start of a summary trial is the time when the prosecution opens its case;

(b) the start of a Crown Court trial is—

(i) the time when a jury is sworn; or

(ii) where a trial takes place without a jury, the time when the prosecution opens its case.