

---

STATUTORY INSTRUMENTS

---

**2016 No. 705**

**The Criminal Procedure (Amendment No. 2) Rules 2016**

**Amendments to the Criminal Procedure Rules 2015**

**11. In Part 31 (Behaviour orders)—**

- (a) in the first paragraph of the note to rule 31.1 (When this Part applies), after subparagraph (a)(viii) insert—
  - “(ix) *section 19 of the Psychoactive Substances Act 2016*(1) (*prohibition orders*);”;
- (b) in rule 31.3 (Application for behaviour order and notice of terms of proposed order: special rules)—
  - (i) at the end of paragraph (1)(a)(ii) omit ‘or’,
  - (ii) after paragraph (1)(a)(iii) insert—
    - “(iv) a prohibition order; or”,
  - (iii) in paragraph (4)(a) omit ‘written’,
  - (iv) in paragraph (6), for ‘or a criminal behaviour order’ substitute ‘, a criminal behaviour order or a prohibition order’, and
  - (v) in the note to the rule, at the end of the fourth paragraph insert ‘, and under section 33 of the Psychoactive Substances Act 2016(2) the court may do so in proceedings for a prohibition order’;
- (c) in rule 31.4 (Evidence to assist the court: special rules), in paragraph (2)(a) omit ‘in writing’;
- (d) in rule 31.5 (Application to vary or revoke behaviour order), in paragraph (3)(a) omit ‘in writing’;
- (e) in rule 31.6 (Notice of hearsay evidence), in paragraph (1)(a), for ‘serve a notice in writing’ substitute ‘serve notice’; and
- (f) in rule 31.8 (Credibility and consistency of maker of hearsay statement)—
  - (i) in paragraph (2)(a), for ‘serve a written notice’ substitute ‘serve notice’, and
  - (ii) in paragraph (3)(b), for ‘serve a notice’ substitute ‘serve notice’.