
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 11

DEFERRED PROSECUTION AGREEMENTS

When this Part applies

11.1.—(1) This Part applies to proceedings in the Crown Court under Schedule 17 to the Crime and Courts Act 2013⁽¹⁾.

(2) In this Part—

- (a) ‘agreement’ means a deferred prosecution agreement under paragraph 1 of that Schedule;
- (b) ‘prosecutor’ means a prosecutor designated by or under paragraph 3 of that Schedule; and
- (c) ‘defendant’ means the corporation, partnership or association with whom the prosecutor proposes to enter, or enters, an agreement.

[Note. Under Schedule 17 to the Crime and Courts Act 2013, a designated prosecutor may make a deferred prosecution agreement with a defendant, other than an individual, whom the prosecutor is considering prosecuting for an offence or offences listed in that Schedule. Under such an agreement, the defendant agrees to comply with its terms and the prosecutor agrees that, if the Crown Court approves those terms, then paragraph 2 of the Schedule will apply and —

- (a) the prosecutor will serve a draft indictment charging the defendant with the offence or offences the subject of the agreement;*
- (b) the prosecution will be suspended under that paragraph, and the suspension may not be lifted while the agreement is in force; and*
- (c) no-one may prosecute the defendant for the offence or offences charged while the agreement is in force, or after it expires if the defendant complies with it.*

The Code for prosecutors issued under paragraph 6 of that Schedule contains guidance on the exercise of prosecution functions in relation to a deferred prosecution agreement.]