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STATUTORY INSTRUMENTS

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**2023 No. 44**

**The Criminal Procedure (Amendment) Rules 2023**

**Amendments to the Criminal Procedure Rules**

**3.** In Part 2 (Understanding and applying the rules; powers of authorised court officers), in rule 2.1 (When the Rules apply)—

(a) after paragraph (3) insert—

“(4) The amendments to Part 14 of these Rules (Bail and custody time limits) made by rule 7(a) and (b) of the Criminal Procedure (Amendment) Rules 2023 do not apply in relation to a defendant arrested before 28<sup>th</sup> October, 2022, for an offence, or in relation to such a defendant who on or after that date is arrested again in relation to that offence under—

(a) section 46A of the Police and Criminal Evidence Act 1984(1) (arrest for failure to attend at a police station as required by police bail, or failure to comply with a condition of such bail); or

(b) section 24A of the Criminal Justice Act 2003(2) (arrest for failure to comply with a condition attached to a conditional caution).”;

(b) at the end of the note to the rule insert—

*“Amendments made by the Police, Crime, Sentencing and Courts Act 2022(3) to the pre-charge bail provisions of the Police and Criminal Evidence Act 1984 came into force on 28<sup>th</sup> October, 2022(4). Under section 45(3) of the 2022 Act, those amendments do not apply in the circumstances described in paragraph (4) of this rule.”*

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(1) 1984 c. 60; section 46A was inserted by section 29 of the Criminal Justice and Public Order Act 1994 (c. 33) and amended by section 28 of, and paragraphs 1 and 5 of Schedule 2 to, the Criminal Justice Act 2003 (c. 44), section 46 of the Police and Justice Act 2006 (c. 48), section 108 of the Coroners and Justice Act 2009 (c. 25), section 61 of the Policing and Crime Act 2017 (c. 3) and paragraph 4 of Schedule 20 to the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

(2) 2002 c. 44; section 24A was inserted by section 18 of the Police and Justice Act 2006 (c. 48) and amended by sections 60 and 64 of the Policing and Crime Act 2017 (c. 3) and paragraphs 14 and 15 of Schedule 4 to the Police, Crime, Sentencing and Courts Act 2022 (c. 32). It is repealed with effect from a date to be appointed by section 118 of that latter Act.

(3) 2022 c. 32.

(4) See S.I. 2022/1075.