



# Criminal Law Act 1977

## 1977 CHAPTER 45

### PART III

#### CRIMINAL PROCEDURE, PENALTIES, ETC.

##### *Cross-border enforcement*

#### **38 Execution throughout United Kingdom of warrants of arrest**

- (1) A warrant issued in Scotland or Northern Ireland for the arrest of a person charged with an offence may be executed in England or Wales by any constable acting within his police area ; and subsection (4) of section 102 of the Magistrates' Courts Act 1952 (execution without possession of the warrant) shall apply to the execution in England or Wales of any such warrant.
- (2) A warrant issued in England, Wales or Northern Ireland for the arrest of a person charged with an offence may be executed in Scotland by any constable appointed for a police area in like manner as any such warrant issued in Scotland.
- (3) A warrant issued in England, Wales or Scotland for the arrest of a person charged with an offence may be executed in Northern Ireland by any member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve; and subsections (4) and (5) of section 159 of the Magistrates' Courts Act (Northern Ireland) 1964 (execution without possession of the warrant and execution on Sunday) shall apply to the execution in Northern Ireland of any such warrant.
- (4) A warrant may be executed by virtue of this section whether or not it has been endorsed under section 12, 14 or 15 of the Indictable Offences Act 1848 or under section 27, 28 or 29 of the Petty Sessions (Ireland) Act 1851.
- (5) Nothing in this section affects the execution in Scotland or Northern Ireland of a warrant to which section 123 of the Bankruptcy Act 1914 applies.

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*Status: This is the original version (as it was originally enacted).*

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### **39 Service of summonses and citation throughout United Kingdom**

- (1) A summons requiring a person charged with an offence to appear before a court in England or Wales may, in such manner as may be prescribed by rules of court, be served on him in Scotland or Northern Ireland.
- (2) A summons requiring a person charged with an offence to appear before a court in Northern Ireland may, in such manner as may be prescribed by rules of court, be served on him in England, Wales or Scotland.
- (3) Citation of a person charged with a crime or offence to appear before a court in Scotland may be effected in any other part of the United Kingdom in like manner as it may be done in Scotland, and for this purpose the persons authorised to effect such citation shall include, in England and Wales and Northern Ireland, constables and prison officers serving in those parts of the United Kingdom.

### **40 Transfer of fine orders**

Schedule 7 to this Act (which confers powers on courts in Northern Ireland, and extends the existing powers of courts in England, Wales and Scotland, to make transfer of fine orders) shall have effect.