

Changes to legislation: Criminal Procedure and Investigations Act 1996, SCHEDULE 5 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

Section 80

REPEALS

1.

Reinstatement of certain provisions

Chapter	Short title	Extent of repeal
1994 c.33.	Criminal Justice and Public Order Act 1994.	Section 34(7). Section 36(8). Section 37(7). Section 44. Schedule 4. In Schedule 11, the entries mentioned in note 1 below.

- 1 The entries in Schedule 11 to the 1994 Act are those relating to the following—
- sections 13(3) and 49(2) of the ^{M1}Criminal Justice Act 1925;
 - section 1 of the ^{M2}Criminal Procedure (Attendance of Witnesses) Act 1965;
 - section 7 of the ^{M3}Criminal Justice Act 1967 and in section 36(1) of that Act the definition of “committal proceedings”;
 - in paragraph 1 of Schedule 2 to the ^{M4}Criminal Appeal Act 1968 the words from “section 13(3)” to “but”;
 - in section 46(1) of the ^{M5}Criminal Justice Act 1972 the words “Section 102 of the Magistrates’ Courts Act 1980 and”, “which respectively allow”, “committal proceedings and in other”, “and section 106 of the said Act of 1980”, “which punish the making of”, “102 or” and “, as the case may be”, and section 46(2) of that Act;
 - in section 32(1)(b) of the ^{M6}Powers of Criminal Courts Act 1973 the words “tried or”;
 - in Schedule 1 to the ^{M7}Interpretation Act 1978, paragraph (a) of the definition of “Committed for trial”;
 - in section 97(1) of the ^{M8}Magistrates’ Courts Act 1980 the words from “at an inquiry” to “(be) or”, sections 102, 103, 105, 106 and 145(1)(e) of that Act, in section 150(1) of that Act the definition of “committal proceedings”, and paragraph 2 of Schedule 5 to that Act;
 - in section 2(2)(g) of the ^{M9}Criminal Attempts Act 1981 the words “or committed for trial”;

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- (j) in section 1(2) of the ^{M10}Criminal Justice Act 1982 the words “trial or”;
- (k) paragraphs 10 and 11 of Schedule 2 to the ^{M11}Criminal Justice Act 1987;
- (l) in section 20(4)(a) of the ^{M12}Legal Aid Act 1988 the words “trial or”, and section 20(4)(bb) and (5) of that Act;
- (m) in section 1(4) of the ^{M13}War Crimes Act 1991 the words “England, Wales or”, and Part I of the Schedule to that Act.

Marginal Citations

M1	1925 c. 86.
M2	1965 c. 69.
M3	1967 c. 80.
M4	1968 c. 19.
M5	1972 c. 71.
M6	1973 c. 62.
M7	1978 c. 30.
M8	1980 c. 43.
M9	1981 c. 47.
M10	1982 c. 48.
M11	1987 c. 38.
M12	1988 c. 34.
M13	1991 c. 13.

2 The repeals under this paragraph (reinstatement of certain provisions) have effect in accordance with section 44 of this Act.

This repeal has effect in accordance with section 49 of this Act.

These repeals have effect in accordance with section 52 of this Act.

This repeal has effect in accordance with section 63 of this Act.

These repeals have effect in accordance with provision made by the Secretary of State by order under section 65 of this Act.

These repeals have effect in accordance with section 66 of this Act.

This revocation has effect in accordance with section 71 of this Act.

These repeals have effect in accordance with section 74 of this Act.

These repeals have effect in accordance with provision made by the Secretary of State by order under Schedule 1 to this Act.

These repeals have effect in accordance with provision made by the Secretary of State by order under Schedule 2 to this Act.

These repeals have effect in accordance with Schedule 3 to this Act.

2.

War Crimes

Chapter	Short title	Extent of repeal
1988 c.34.	Legal Aid Act 1988.	Section 20(4)(bb).

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1991 c.13.	War Crimes Act 1991.	In section 1(4) the words “England, Wales or”. Section 3(2). Part I of the Schedule.
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3.

Either Way Offences

Chapter	Short title	Extent of repeal
1980 c.43.	Magistrates’ Courts Act 1980.	Section 19(2)(a).

4.

Remand

Chapter	Short title	Extent of repeal
1980 c.43.	Magistrates’ Courts Act 1980.	In section 128, subsections (1A)(c) and (3A)(c). In section 128A(1) the words “who has attained the age of 17”.

5.

Specimens

Chapter	Short title	Extent of repeal
1992 c.42.	Transport and Works Act 1992.	In section 31(4) the word “or” at the end of paragraph (b).

6.

Witness Orders

Chapter	Short title	Extent of repeal
1965 c.69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	Section 1. In section 3(1) the words “witness order or”. In section 4(1) the words “witness order or” and (where they next occur) “order or”.

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		In the proviso to section 4(1) the words from “in the case” (where they first occur) to “witness summons”.
		In section 4(2) the words “a witness order or” and (where they next occur) “order or”.
1971 c.23.	Courts Act 1971.	In Schedule 8, paragraph 45(1).
1980 c.43.	Magistrates’ Courts Act 1980.	Section 145(1)(e).

7.

Summonses to witnesses

Chapter	Short title	Extent of repeal
1965 c.69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	Schedule 1.
1971 c.23.	Courts Act 1971.	In Schedule 8, paragraph 45(2) and (5).

8.

Preliminary Stages

Number	Title	Extent of revocation
S.I. 1987/299	Prosecution of Offences (Custody Time Limits) Regulations 1987.	Regulation 5(7).

9.

Alibi

Chapter	Short title	Extent of repeal
1967 c. 80.	Criminal Justice Act 1967.	Section 11.
1980 c. 43.	Magistrates’ Courts Act 1980.	In Schedule 7, paragraph 64.
1987 c. 38.	Criminal Justice Act 1987.	In Schedule 2, paragraph 2.
1994 c. 33.	Criminal Justice and Public Order Act 1994.	In Schedule 4, paragraph 15(3).

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In Schedule 9, paragraphs 6(2) and 7.

10.

Committal Proceedings

Chapter	Short title	Extent of repeal
1867 c. 35.	Criminal Law Amendment Act 1867.	Section 6. Section 7.
1972 c. 71.	Criminal Justice Act 1972.	In section 46(1) the following words— “Section 102 of the Magistrates’ Courts Act 1980 and”; “which respectively allow”; “committal proceedings and in other”; “and section 106 of the said Act of 1980”; “which punish the making of”; “102 or”; “, as the case may be”. Section 46(2).
1980 c. 43.	Magistrates’ Courts Act 1980.	Section 28. In section 97(1) the words “at an inquiry into an indictable offence by a magistrates’ court for that commission area or”. Section 102. Section 103(3) and (4). Section 105. In Schedule 7, paragraph 2.
1988 c. 33.	Criminal Justice Act 1988.	In section 32A(10) the words “notwithstanding that the child witness is not called at the committal proceedings”. In Schedule 15, paragraph 68.

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11.

Statements and Depositions

Chapter	Short title	Extent of repeal
1925 c.86.	Criminal Justice Act 1925.	Section 13(3).
1965 c.69.	Criminal Procedure (Attendance of Witnesses) Act 1965.	In Part I of Schedule 2, the entry relating to the Criminal Justice Act 1925.
1967 c.80.	Criminal Justice Act 1967.	Section 7.
1980 c.43.	Magistrates' Courts Act 1980.	In Schedule 7, paragraph 63.

12.

Fraud

Chapter	Short title	Extent of repeal
1987 c.38.	Criminal Justice Act 1987.	In section 7, subsections (3) to (5). In section 9(7), the word "(1)".
1988 c.33.	Criminal Justice Act 1988.	In Schedule 15, paragraph 114.
1990 c.42.	Broadcasting Act 1990.	In Schedule 20, paragraph 47.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(6) added by [1997 c. 39 s. 9\(4\)](#)
- s. 5(1A) amendment to earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8 by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- s. 5(1A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 8](#)
- s. 5(1A) words substituted in earlier affecting provision 2015 c. 9 (N.I.), Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)
- s. 13(1)(ba)(b) substituted for s. 13(1)(b) by 2015 c. 9 (N.I.), Sch. 2 para. 8(2) (as inserted) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 4 para. 4(f) and word added by [S.I. 2003/1247 \(N.I.\) Sch. 1 para. 16](#)