



Terrorism Act 2000

2000 CHAPTER 11

PART VII

NORTHERN IRELAND

Scheduled offences

72 Time limits for preliminary proceedings

- (1) The Secretary of State may by regulations make provision, in respect of a specified preliminary stage of proceedings for a scheduled offence, as to the maximum period—
 - (a) to be allowed to the prosecution to complete the stage;
 - (b) during which the accused may, while awaiting completion of the stage, be in the custody of a magistrates' court or the Crown Court in relation to the offence.
- (2) The regulations may, in particular—
 - (a) provide for a specified law about bail to apply in relation to cases to which custody or overall time limits apply (subject to any modifications which the Secretary of State considers it necessary to specify in the regulations);
 - (b) provide for time limits to cease to have effect in cases where the Attorney General for Northern Ireland certifies after the institution of proceedings that an offence is not to be treated as a scheduled offence;
 - (c) make such provision with respect to the procedure to be followed in criminal proceedings as the Secretary of State considers appropriate in consequence of another provision of the regulations;
 - (d) make provision which has effect in relation to a non-scheduled offence where separate counts of an indictment allege a scheduled offence and a non-scheduled offence;
 - (e) enable the Crown Court in specified circumstances to extend or further extend a time limit at any time before it expires.

Status: This is the original version (as it was originally enacted).

- (3) Subject to subsection (4), where an overall time limit expires before the completion of the stage of proceedings to which the limit applies, the accused shall be treated for all purposes as having been acquitted of the offence to which the proceedings relate.
- (4) Regulations under this section which provide for a custody time limit in relation to a preliminary stage shall have no effect where—
 - (a) a person escapes from the custody of a magistrates' court or the Crown Court before the expiry of the custody time limit,
 - (b) a person who has been released on bail in consequence of the expiry of a custody time limit fails to surrender himself into the custody of the court at the appointed time, or
 - (c) a person who has been released on bail in consequence of the expiry of a custody time limit is arrested by a constable in connection with a breach or apprehended breach of a condition of his bail.
- (5) If a person escapes from the custody of a magistrates' court or the Crown Court, the overall time limit which applies to the stage which proceedings relating to the person have reached at the time of the escape shall cease to have effect in relation to those proceedings.
- (6) If a person who has been released on bail fails to surrender himself into the custody of the court at the appointed time, the overall time limit which applies to the stage which proceedings relating to the person have reached at the time of the failure shall cease to have effect in relation to those proceedings.