
STATUTORY INSTRUMENTS

2012 No. 1726

The Criminal Procedure Rules 2012

PART 62

CONTEMPT OF COURT

SECTION 3: CONTEMPT OF COURT BY FAILURE TO COMPLY WITH COURT ORDER, ETC.

Magistrates' courts' powers to adjourn, etc.

62.16.—(1) This rule applies where a magistrates' court deals with unauthorised disclosure of prosecution material under sections 17 and 18 of the Criminal Procedure and Investigations Act 1996(1).

(2) The sections of the Magistrates' Courts Act 1980 listed in paragraph (3) apply as if in those sections—

- (a) 'complaint' and 'summons' each referred to an application or written statement under rule 62.9;
- (b) 'complainant' meant an applicant; and
- (c) 'defendant' meant the respondent.

(3) Those sections are—

- (a) section 51(2) (issue of summons on complaint);
- (b) section 54(3) (adjournment);
- (c) section 55(4) (non-appearance of defendant);
- (d) section 97(1)(5) (summons to witness);
- (e) section 121(1)(6) (constitution and place of sitting of court);
- (f) section 123(7) (defect in process).

(4) Section 127 of the 1980 Act(8) (limitation of time) does not apply.

[Note. Under section 19(3) of the Criminal Procedure and Investigations Act 1996(9), Criminal Procedure Rules may contain provisions equivalent to those contained in Schedule 3 to the

(1) 1996 c. 25; section 17 was amended by section 331 of, and paragraphs 20 and 33 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44).

(2) 1980 c. 43; section 51 was substituted by section 47(1) of the Courts Act 2003 (c. 39).

(3) 1980 c. 43.

(4) 1980 c. 43.

(5) 1980 c. 43; section 97(1) was substituted by section 169(2) of the Serious Organised Crime and Police Act 2005 (c. 15).

(6) 1980 c. 43.

(7) 1980 c. 43.

(8) 1980 c. 43.

(9) 1996 c. 25; section 19(3) was amended by section 109 of, and paragraph 377 of Schedule 8 to, the Courts Act 2003 (c. 39) and section 15 of, and paragraph 251 of Schedule 4 to, the Constitutional Reform Act 2005 (c. 4).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Contempt of Court Act 1981(10) (which allows magistrates' courts in cases of contempt of court to use certain powers such courts possess in other cases).]

(10) 1981 c. 49; Schedule 3 has been amended but the amendment is not relevant to this rule.