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**Changes to legislation:** Criminal Procedure and Investigations Act 1996, Cross Heading: Criminal Justice Act 1972 is up to date with all changes known to be in force on or before 11 May 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](#)

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## SCHEDULES

### SCHEDULE 1

#### COMMITTAL PROCEEDINGS

#### PART II

#### OTHER PROVISIONS

#### *Criminal Justice Act 1972*

- 22 (1) Section 46 of the <sup>M1</sup>Criminal Justice Act 1972 (written statements made outside England and Wales) shall be amended as follows.
- (2) In subsection (1) the following words shall be omitted—
- (a) “Section 102 of the Magistrates’ Courts Act 1980 and”;
  - (b) “which respectively allow”;
  - (c) “committal proceedings and in other”;
  - (d) “and section 106 of the said Act of 1980”;
  - (e) “which punish the making of”;
  - (f) “102 or”;
  - (g) “, as the case may be”.
- (3) <sup>F1</sup>The following subsections shall be inserted after subsection (1)—
- “(1A) The following provisions, namely—
- (a) so much of section 5A of the Magistrates’ Courts Act 1980 as relates to written statements and to documents or other exhibits referred to in them,
  - (b) section 5B of that Act, and
  - (c) section 106 of that Act,
- shall apply where written statements are made in Scotland or Northern Ireland as well as where written statements are made in England and Wales.
- (1B) The following provisions, namely—
- (a) so much of section 5A of the Magistrates’ Courts Act 1980 as relates to written statements and to documents or other exhibits referred to in them, and
  - (b) section 5B of that Act,
- shall (subject to subsection (1C) below) apply where written statements are made outside the United Kingdom.
- (1C) Where written statements are made outside the United Kingdom—
- (a) section 5B of the Magistrates’ Courts Act 1980 shall apply with the omission of subsections (2)(b) and (3A);

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(b) paragraph 1 of Schedule 2 to the Criminal Procedure and Investigations Act 1996 (use of written statements at trial) shall not apply.”]

(4) Subsection (2) shall be omitted.

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#### Textual Amendments

**F1** Sch. 1 para. 22(3) repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 4](#); [S.I. 2012/1320](#), art. 4(1)(d)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), art. 4(2) and [S.I. 2013/1103](#), art. 4); [S.I. 2012/2574](#), art. 2(2)(3)(d), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) (with [S.I. 2013/1103](#), art. 4); [S.I. 2013/1103](#), art. 2(1)(d)(2)(3) (with arts. 3, 4)

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#### Marginal Citations

**M1** 1972 c. 71.

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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](#)