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**Changes to legislation:** There are currently no known outstanding effects for the Crime and Courts Act 2013, Part 3. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 17

#### DEFERRED PROSECUTION AGREEMENTS

#### PART 3

#### CONSEQUENTIAL AND TRANSITIONAL PROVISION

##### *Consequential amendments*

- 32 In section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1933 (procedure for indictment of offenders), in subsection (2) after paragraph (b) insert—
- “(ba) the bill is preferred with the consent of a judge of the Crown Court following a declaration by the court under paragraph 8(1) of Schedule 17 to the Crime and Courts Act 2013 (court approval of deferred prosecution agreement); or”.

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##### **Commencement Information**

- I1** Sch. 17 para. 32 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 33 In section 2 of the Criminal Procedure (Attendance of Witnesses) Act 1965 (issue of witness summons on application to the Crown Court), after subsection (6) insert—
- “(6A) Where the proceedings concerned relate to an offence that is the subject of a deferred prosecution agreement within the meaning of Schedule 17 to the Crime and Courts Act 2013, an application must be made as soon as is reasonably practicable after the suspension of the proceedings is lifted under paragraph 2(3) of that Schedule.”

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##### **Commencement Information**

- I2** Sch. 17 para. 33 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 34 In Schedule 1 to the Contempt of Court Act 1981 (times when proceedings are active for purposes of strict liability rule for contempt of court), in paragraph 7, after paragraph (aa) insert—
- “(ab) in England and Wales, if they are discontinued by virtue of paragraph 11 of Schedule 17 to the Crime and Courts Act 2013 (deferred prosecution agreements);”.

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**Commencement Information**

**I3** Sch. 17 para. 34 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 35 In section 15 of the Prosecution of Offences Act 1985 (interpretation), in subsection (2)(d) after “(b)” insert “ or (ba) ”.

**Commencement Information**

**I4** Sch. 17 para. 35 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 36 In section 51 of the Criminal Justice and Public Order Act 1994 (intimidation etc of witnesses, jurors and others), in subsection 10(a)(iii) after “2(2)(b)” insert “ or (ba) ”.

**Commencement Information**

**I5** Sch. 17 para. 36 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 37 (1) The Criminal Procedure and Investigations Act 1996 is amended as follows.
- (2) In section 1 (application of Part 1: disclosure), in subsection (2), after paragraph (f) insert “, or
- (g) following the preferment of a bill of indictment charging a person with an indictable offence under the authority of section 2(2)(ba) of the Administration of Justice (Miscellaneous Provisions) Act 1933 (bill of indictment preferred with consent of Crown Court judge following approval of deferred prosecution agreement), the suspension of the proceedings against the person under paragraph 2(2) of Schedule 17 to the Crime and Courts Act 2013 is lifted under paragraph 2(3) of that Schedule.”
- (3) In section 28 (application of Part 3: preparatory hearings), in subsection (1)(c) after “2(2)(b)” insert “ or (ba) ”.
- (4) In section 39 (meaning of pre-trial hearing), in subsection (2)(a) after “2(2)(b)” insert “ or (ba) ”.
- (5) In Schedule 3 (fraud), in paragraph 8(1)(c) after “2(2)(b)” insert “ or (ba) ”.

**Commencement Information**

**I6** Sch. 17 para. 37 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

- 38 In section 85 of the Proceeds of Crime Act 2002 (proceedings), in subsection (1) (c) at the end insert “ or subsection (2)(ba) of that section (preferment by Crown Court judge following approval of deferred prosecution agreement) ”.

**Commencement Information**

**I7** Sch. 17 para. 38 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

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*Transitional provision*

- 39 (1) Conduct constituting an alleged offence that occurred before the relevant commencement day may be taken into account for the purposes of this Schedule.
- (2) In this paragraph, the “relevant commencement day” means—
- (a) in a case where the alleged offence is an offence that is specified in Part 2 when this Schedule comes into force, the day on which this Schedule comes into force;
  - (b) in a case where the alleged offence is an offence that is subsequently added to Part 2 (whether by order under paragraph 31 or otherwise), the day when the enactment adding that offence to Part 2 comes into force.

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**Commencement Information**

**I8** Sch. 17 para. 39 in force at 24.2.2014 by [S.I. 2014/258](#), [art. 2\(b\)](#)

**Changes to legislation:**

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