STATUTORY INSTRUMENTS

2017 No. 1287 (L. 21)

SENIOR COURTS OF ENGLAND AND WALES

The Crown Court (Amendment) Rules 2017

Made - - - - *11th December 2017*

Laid before Parliament *18th December 2017*

Coming into force in accordance with Article 1

The Lord Chief Justice makes the following Rules in exercise of the powers conferred by section 84(1) of the Senior Courts Act 1981(**1**):

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Crown Court (Amendment) Rules 2017.

(2) Rule 6 of these Rules comes into force on 16th April 2018 so far as it relates to Rule 8(fa) of the Crown Court Rules 1982(**2**).

(3) Rule 7(b) of these Rules comes into force on 16th April 2018 so far as it relates to section 303S of the Proceeds of Crime Act 2002(**3**).

(4) Otherwise, these Rules come into force on 31st January 2018.

(5) In these Rules, a reference to a rule by number alone means the rule so numbered in the Crown Court Rules 1982.

Amendments to the Crown Court Rules 1982

2. The Crown Court Rules 1982 are amended in accordance with rules 3 to 7 of these Rules.

3. In Rule 8(e), after "Anti-terrorism Crime and Security Act 2001", insert "("ATCSA")" and for "that Act", substitute "ATCSA" in both places where it occurs.

4. After rule 8(e), insert—

(**1**) 1981 c.54. Section 84(1) was amended by section 10 of and paragraph 1(4)(a) of Schedule 2 to, the Civil Procedure Act 1997 (c.12), and by S.I. 2004/2035 and S.I. 2012/2398.

(**2**) S.I.1982/1109. Rule 8 was amended by section 70 of the Criminal Justice Act 1991 (c. 53), and by S.I. 1988/952, S.I. 1988/1322, S.I. 2001/193, S.I. 2001/614, S.I. 2001/4012, S.I. 2002/2997, and S.I. 2005/617. Part III of Schedule 3 was amended by S.I. 1988/1322, S.I. 2001/193, S.I. 2001/4012, S.I. 2002/2977, S.I. 2004/1047 and S.I. 2009/3361.

(**3**) 2002 c.29. Chapters 3A and 3B of Part 5 of the Proceeds of Crime Act were inserted by sections 15 and 16 of the Criminal Finances Act 2017 (c. 22).

"(ea) in the case of an appeal under paragraph 10K of Schedule 1 to ATCSA(**4**)—

(i) to any person to whom notice of the order for further detention of property was given in accordance with paragraph 10D(11) of Schedule 1 to ATCSA and who has not been joined as a party to the case, and

(ii) to any person who has made an application under paragraph 10O(1) of Schedule 1 to ATCSA and who has not been joined as a party to the case.

(eb) in the case of an appeal under paragraph 10Z4 of Schedule 1 to ATCSA—

(i) to any person to whom notice of the account freezing order was given in accordance with paragraph 10S(5) of Schedule 1 to ATCSA and who has not been joined as a party to the case, and

(ii) to any person who has made an application under paragraph 10T(1)(b) of Schedule 1 to ATCSA and who has not been joined as a party to the case."

5. In Rule 8(f), after "Proceeds of Crime Act 2002", insert "("POCA")" and for "that Act", substitute "POCA" in both places where it occurs.

6. After rule 8(f), insert—

"(fa) in the case of an appeal under section 303S of POCA(**5**)—

(i) to any person to whom notice of the order for further detention of property was given in accordance with section 303L(14) of POCA and who has not been joined as a party to the case, and

(ii) to any person who has made an application under section 303V of POCA and who has not been joined as a party to the case.

(fb) in the case of an appeal under section 303Z16 of POCA—

(i) to any person to whom notice of the account freezing order was given in accordance with section 303Z3(5) of POCA and who has not been joined as a party to the case, and

(ii) to any person who has made an application under section 303Z4(1)(b) of POCA and who has not been joined as a party to the case."

7. In Part III of Schedule 3 (appeals in which the Notice of Appeal is to state the grounds of appeal)—

(a) in the entry relating to The Anti-terrorism, Crime and Security Act 2001, in the third column, for "paragraph 7" substitute "paragraphs 7, 10K, 10Z4.";

(b) in the entry relating to the Proceeds of Crime Act 2002, in the third column, for "section 299" substitute "sections 299, 303S, 303Z16.".

Ian Burnett
8th December 2017 Lord Chief Justice

(**4**) Parts 4A and 4B (comprising paragraphs 10A to 10Z7) of Schedule 1 to the Anti-terrorism, Crime and Security Act 2001 (c.24) were inserted by section 39 of, and Schedule 3 to, the Criminal Finances Act 2017 (c. 22).

(**5**) Chapters 3A and 3B (comprising sections 303B to 303Z19) of Part 5 of the Proceeds of Crime Act 2002 (c.29) were inserted by sections 15 and 16 of the Criminal Finances Act 2017 (c. 22).