1994 No. 344

CRIMINAL PROCEDURE

The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (Notice of Transfer) (Amendment) Regulations 1994

Made . . . . . *1st September 1994*

Coming into operation . . *1st November 1994*

To be laid before Parliament

The Attorney General, in exercise of the powers conferred on him by Article 4(7) of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988(**a**), hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (Notice of Transfer) (Amendment) Regulations 1994 and shall come into operation on 1st November 1994.

Interpretation

2. In these regulations "the principal regulations" means the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (Notice of Transfer) Regulations 1989(**b**).

Amendment of the principal regulations

3. For the Schedule to the principal regulations there shall be substituted the new Schedule set out in the Schedule to these regulations.

Nicholas Lyell

1st September 1994 Her Majesty's Attorney General

(a) S.I. 1988/1846 (N.I. 16)
(b) S.R. 1989 No. 338, amended by S.R. 1989 No. 467

SCHEDULE Regulation 3

Schedule substituted for Schedule to the Principal Regulations.

"SCHEDULE Regulations 3 and 4

FORM 1

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988

THE QUEEN

v

NOTICE OF TRANSFER OF CASE TO THE CROWN COURT

To the clerk of petty sessions Magistrates' Court

1. I am [an officer of]
[acting on behalf of him/them].

2. has/have been charged with the indictable offence/offences specified in the Schedule of Charges attached to this Form.

3. The magistrates' court in whose jurisdiction the offence/offences has/have been committed has not—

(*a*) commenced hearing the evidence for the prosecution (other than a deposition relating to the arrest or to the remand of the accused), where the court is conducting a preliminary investigation, or

(*b*) begun to conduct a preliminary inquiry.

4. I certify that in my opinion the evidence of the offence/offences charged—

(*a*) would be sufficient for to be committed for trial, and

(*b*) reveals a case of fraud of such seriousness and complexity that it is appropriate that the management of the case should without delay be taken over by the Crown Court.

5. Accordingly, the functions of the magistrates' court cease in relation to the case, except as provided by Article 4(3) and (6) of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988(**a**) and by Article 29(2)(*c*) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**b**).

6. The proposed place of trial is the Crown Court sitting at

[Where this notice relates to more than one person, paragraph 7 is to be completed in respect of each person to whom it relates.]

(**a**) S.I. 1988/1846 (N.I. 16)
(**b**) S.I. 1981/228 (N.I. 8)

7. was on the day of 19 remanded in custody to appear at Magistrates' Court on the day of 19 .

or

7. was on the day of 19 remanded on bail to appear at Magistrates' Court on the day of 19 . [Notice has been given to him that this requirement has now ceased but that it is his duty to appear before the Crown Court sitting at , or at such other place as shall be notified to him, on a date to be notified to him.] [Notice has been given to him that this requirement continues.]

8. Each of the witnesses listed in the Schedule of Proposed Witnesses will be required to attend and give evidence before the Crown Court.

Dated this day of 19 .

Name

Title

SCHEDULE OF CHARGES

SCHEDULE OF PROPOSED WITNESSES