1989 No. 467

CRIMINAL PROCEDURE

The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (Notice of Transfer) (Amendment) Regulations 1989

Made . . . . . 29th November 1989

Coming into operation . . 1st February 1990

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 (Northern Ireland) Order 1988 (Notice of Transfer) (Amendment) Regulations 1989 and shall come into operation on 1st February 1990.

Notice to defendant

2. In the Schedule to the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (Notice of Transfer) Regulations 1989(**b**) there shall be substituted for Form 2 the Form set out in the Schedule.

P. B. B. Mayhew
Her Majesty's Attorney-General

29th November 1989

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

SCHEDULE regulation 2

FORM 2

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

THE QUEEN

v.

NOTICE TO PERSON TO WHOM A NOTICE OF TRANSFER RELATES

To of

1. Under Article 3 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 I have given to Magistrates' Court a notice of transfer in relation to the charges specified in the notice, a copy of which is attached. Accordingly, the case is transferred to the Crown Court. The proposed place of trial is the Crown Court sitting at .

2. The Crown Court may give directions altering the place of trial. If you are dissatisfied with the proposed place of trial stated in the notice of transfer, or the place of trial as substituted by a direction of the Crown Court, you may apply to the Crown Court to vary the place of trial.

3. On the day of 19 Magistrates' Court remanded you in custody to appear on the day of 19 . [The Court later granted you bail subject to certain conditions which you failed to meet, and accordingly you have remained in custody to appear on that day.] Under Article 4(3) of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 the magistrates' court has power—

(*a*) to order that you shall be safely kept in custody until delivered in due course of law, or

(*b*) to release you on bail, that is to say, by directing you to appear before the Crown Court for trial.

The magistrates' court may exercise those powers without your being brought before the court if—

(*a*) you have given your written consent, and

(*b*) the court is satisfied that, when you gave your consent, you knew that the notice of transfer had been issued.

You may give your consent by signing the attached form of consent and passing it to the prison governor for him to send it to the magistrates' court by the day of 19 (the date of your next appearance).

or

3. On the day of 19 Magistrates' Court remanded you on bail to appear on the day of 19 . That requirement has ceased and in accordance with Article 4(5) of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 it is your duty to appear before the Crown Court sitting at , or at such other place as may be notified to you, on a date to be notified to you.

or

3. On the day of 19 Magistrates' Court remanded you on bail to appear on the day of 19 . You are required to so appear notwithstanding the giving of the notice of transfer.