

ACT OF ADJOURNAL (CRIMINAL PROCEDURE RULES) 1996 SI 1996/513

SCHEDULE 2

CRIMINAL PROCEDURE RULES 1996

PART II General

CHAPTER 4 BAIL

Application to alter address in bail order

4.1 (1) An application under section 25(2) of the Act of 1995 (alteration of address specified in the order granting bail) shall—

- (a) include the following information:—
 - (i) identification of the proceedings in which the order was made;
 - (ii) details of the new address; and
 - (iii) reasons for the proposed change of address; and
- (b) be served on—
 - (i) the clerk of the court which made the order; and
 - (ii) the prosecutor.

(2) The prosecutor shall, within seven days of receipt of the copy of the application, notify the clerk of court in writing whether or not he intends to oppose the application.

(3) Where the prosecutor notifies the clerk of court that he does not intend to oppose the application, the court shall proceed to dispose of the application and may do so in the absence of the applicant.

(4) Where the prosecutor notifies the clerk of court that he intends to oppose the application, the clerk of court shall arrange a hearing before the court in chambers at which the applicant and the prosecutor may appear or be represented.

(5) The clerk of court shall give notice in writing of the decision of the court on an application referred to in paragraph (1) to—

- (a) the applicant;
- (b) the prosecutor; and
- (c) any co-accused.

(6) Where-

(a) the application is made by a witness who has been granted bail under section 90B(1)(b) of the Act of 1995; and

(b) the warrant to apprehend the witness under section 90A(1) of the Act of 1995 was issued on the application of a party other than the prosecutor,

paragraphs (1) to (5) shall also apply to that party as they apply to the prosecutor.

Attendance of accused at Crown bail appeals

4.2.—(1) Where an appeal is made under section 32(2) of the Act of 1995 the accused may attend the hearing of the appeal.

(2) Where the accused wishes to attend the hearing of the appeal, he shall inform the Clerk of Justiciary not later than 24 hours before the hearing is due to take place.