CHAPTER 3.

An Act to amend the Prosecution of Offences Acts, 1879 and 1884. [18th June 1908.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Offices of Director of Public Prosecutions and Treasury Solicitor to be separate. 47 & 48 Vict. c. 58.

1.—(1) The provisions of section two of the Prosecution of Offences Act, 1884, which unite the office of Director of Public Prosecutions with that of the Treasury Solicitor, shall cease to have effect as from a date to be fixed by the Treasury, not being more than one month after the passing of this Act, and the Secretary of State may appoint the Director of Public Prosecutions, and may also appoint such number of assistant directors as the Treasury sanction.

(2) There shall be paid to the Director of Public Prosecutions, and to any assistants so appointed, such salaries or remuneration as the Treasury may determine.

(3) All such salaries and remuneration, and any expenses incurred in the execution of the duties of Director of Public Prosecutions which are not otherwise provided for, shall be paid out of moneys provided by Parliament.

(4) A person shall not be appointed to be Director of Public Prosecutions unless he is a barrister or solicitor of not less than ten years standing, and a person shall not be appointed to be an Assistant Director of Public Prosecutions unless he is a barrister or solicitor of not less than seven years standing.

(5) An Assistant Director of Public Prosecutions may do any act or thing which the Director of Public Prosecutions is required or authorised to do by or in pursuance of any Act of Parliament or otherwise.

Miscellaneous amendments. 42 & 43 Vict. c. 22.

2.—(1) The regulations under the Prosecution of Offences Act, 1879, shall provide for the Director of Public Prosecutions taking action in cases which appear to him to be of importance or difficulty, or which from any other reason require his intervention.

(2) Section six of the Prosecution of Offences Act, 1879, which relates to the proceedings on prosecutions which the Director of Public Prosecutions has abandoned, shall cease to have effect.

(3) Nothing in the Prosecution of Offences Acts, 1879 and 1884, or in this Act, shall preclude any person from instituting or carrying on any criminal proceedings, but the Director of Public Prosecutions may undertake at any stage the conduct of those proceedings if he thinks fit.

(4) It is hereby declared that the provisions of any Act requiring or authorising any court to make an order for the payment to the prosecutor of any expenses of or incidental to

the prosecution of any offence apply with respect to the payment of those costs to the Director of Public Prosecutions as they apply with respect to the payment of those costs to a private prosecutor.

(5) The Director of Public Prosecutions shall be substituted for the solicitors of Her Majesty's Treasury in section forty-two of the Coinage (Offences) Act, 1861 (which relates to costs of prosecutions).

24 & 25 Vict. c. 99.

Repeal and short title.

3.—(1) The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(2) This Act may be cited as the Prosecution of Offences Act, 1908, and the Prosecution of Offences Acts, 1879 and 1884, and this Act may be cited together as the Prosecution of Offences Acts, 1879 to 1908.

Section 3.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
42 & 43 Vict. c. 22.	The Prosecution of Offences Act, 1879.	The third paragraph of section two, beginning with the words "The "regulations" and ending at the end of the section. Section six. In section seven, the following words at the commencement of the section, "Nothing in this Act "shall interfere with the right of "any person to institute, under-"take, or carry on any criminal "proceeding."
47 & 48 Vict. c. 58.	The Prosecution of Offences Act, 1884.	Section two, as from the date fixed by the Treasury for the purpose.

CHAPTER 4.

An Act to explain section ninety-two of the Patents and Designs Act, 1907. [1st August 1908.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: