

SCHEDULES

SCHEDULE 27

TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

PART 3

APPEALS

Appeals against conviction etc.

- 14 The amendment made by section 42 applies in relation to an appeal under Part 1 of the Criminal Appeal Act 1968 (c. 19) if the reference by the Criminal Cases Review Commission is made on or after the date on which that section comes into force.
- 15 The amendment made by section 43 applies in relation to an appeal under Part 1 of the Criminal Appeal (Northern Ireland) Act 1980 (c. 47) if the reference by the Criminal Cases Review Commission is made on or after the date on which that section comes into force.

Prosecution appeals

- 16 (1) The amendment made by section 44 applies in relation to an appeal under Part 9 of the Criminal Justice Act 2003 (c. 44) if the proceedings on appeal begin on or after the date on which that section comes into force.
- (2) For the purposes of this paragraph, the proceedings on appeal begin—
- (a) if the prosecution appeals with leave of the Crown Court judge, on the date the application for leave is served on the Crown Court officer or, in the case of an oral application, on the date the application is made, or
 - (b) if the prosecution appeals with leave of the Court of Appeal, on the date the application for leave is served on the Crown Court officer.
- (3) In this paragraph, references to service on the Crown Court officer are to be read in accordance with the Criminal Procedure Rules 2005 (S.I.2005/384).
- 17 (1) The amendment made by section 45 applies in relation to an appeal under Part IV of the Criminal Justice (Northern Ireland) Order 2004 (S.I. 2004/1500 (N.I.9)) if the proceedings on appeal begin on after the date on which that section comes into force.
- (2) For the purposes of this paragraph, the proceedings on appeal begin—
- (a) if the prosecution appeals with leave of the Crown Court judge, on the date the application for leave is made,
 - (b) if the prosecution appeals with leave of the Court of Appeal, on the date the application for leave is served on the proper officer, or
 - (c) if leave to appeal is not required, on the date the prosecution informs the Crown Court judge that it intends to appeal.

Status: This is the original version (as it was originally enacted).

- (3) In this paragraph, “the proper officer” has the same meaning as in the Criminal Appeal (Prosecution Appeals) Rules (Northern Ireland) 2005 ([S.R \(N.I.\) 2005/159](#)).