
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 77

PROVISIONS IN SUPPORT OF CRIMINAL JUSTICE

[^{F2}SECTION 2 APPLICATION TO QUASH AN ACQUITTAL

[^{F1}[^{F2}Application for a hearing to determine the application to quash an acquittal

- 77.14.**—(1) An application for a hearing under rule 77.13(1) must—
- (a) be made no later than 7 days after the expiry of the period allowed—
 - (i) under rule 77.11(1); or
 - (ii) by any order made under rule 77.12(2); and
 - (b) state whether a hearing is requested in order for a witness for the other party to attend to be cross-examined^(GL) and, if so, the reasons for wishing the witness to attend.
- (2) The party applying for a hearing must—
- (a) serve a copy of the application notice on the other party within 4 days of filing it with the court; and
 - (b) file a certificate of service.
- (3) The party served with an application for a hearing must file any representations within 5 days of service of the application notice.
- (4) Subject to paragraph (5), the court will not determine an application for a hearing unless a certificate of service has been filed pursuant to sub-paragraph (2)(b) and—
- (a) representations have been filed under paragraph (3); or
 - (b) the period for filing representations under paragraph (3) has expired.
- (5) Where—
- (a) no certificate of service has been filed; and
 - (b) no representations under paragraph (3) have been received after the expiry of 7 days from the date of filing the application,
- the court may dismiss the application for a hearing.]]

Textual Amendments

- F1** Pt. 77 inserted (6.4.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rule 1(b), [Sch.](#)
- F2** Pt. 77 Section 2 inserted (1.10.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2010 \(S.I. 2010/1953\)](#), rule 1(2), [Sch. 4](#)

Status:

Point in time view as at 01/10/2017.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 77.14.