
STATUTORY INSTRUMENTS

2000 No. 2372

The Summary Appeal Court (Air Force) Rules 2000

PART II

BRINGING AND ABANDONMENT OF APPEALS

Application for leave to extend time for appealing and for leave to bring an appeal out of time

9.—(1) This rule and rules 10 and 11 shall have effect in relation to—

- (a) an application under section 83ZE(2) of the Act to extend the period of time for bringing an appeal; and
- (b) an application under section 83ZE(3) for leave to bring an appeal out of time,

and any reference in this rule and rules 10 and 11 to an application or an applicant shall be construed accordingly.

(2) Notice of an application shall be given in the form set out in Schedule 2 and shall be served on the commanding officer of the person making the application.

(3) A person who has given notice of an application in accordance with paragraph (2) may withdraw that notice at any time before the determination of the application by giving notice in writing to his commanding officer who shall forward it to the court administration officer.

(4) Where a person gives notice of an application in accordance with paragraph (2), he may at the same time serve on his commanding officer any documents he considers relevant to the determination of the application.

(5) On receipt of a notice of application under paragraph (2), the commanding officer shall as soon as reasonably practicable—

- (a) forward it to the court administration officer together with any documents served on him under paragraph (4); and
- (b) serve on the prosecuting authority copies of any documents forwarded under subparagraph (a) together with the documents and any other material referred to in paragraphs (i) to (v) of rule 8(3)(b).