

SCHEDULE 2

Transitional and Saving Provisions

Appeals in criminal cases

4.—(1) The amendments made by paragraph 6 of Schedule 8 to the 2008 Act (Powers of Court to substitute different sentence) and the related entry in Schedule 28 to that Act apply in relation to an appeal under Part 1 of the 1968 Act if the proceedings on appeal begin on or after 14 July 2008.

(2) For the purposes of this paragraph, the proceedings on appeal begin—

- (a) if the Criminal Cases Review Commission refer the case to the Court of Appeal under Part 2 of the Criminal Appeal Act 1995(1), on the date the reference is made;
- (b) in any other case, on the date the notice of appeal or, as the case may be, notice of application for leave to appeal, is served on the Crown Court officer.

(3) In this paragraph, the reference to service on the Crown Court officer is to be read in accordance with the Criminal Procedure Rules 2005(2).

(1) 1995 c.35

(2) S.I. 2005/384; relevant amending instruments are S.I. 2007/699 and 2007/2317.