
STATUTORY INSTRUMENTS

2009 No. 2657

The Court Martial Appeal Court Rules 2009

PART 9

REFERENCE TO THE COURT OF AN UNDULY LENIENT SENTENCE

Respondent's notice

58.—(1) A person to whom proceedings relate upon whom the registrar has served an application for permission to refer a case under this Part may serve a respondent's notice, and must do so if—

- (a) that person wants to make representations to the court; or
 - (b) the court so directs.
- (2) The respondent must serve the respondent's notice on—
- (a) the Attorney General; and
 - (b) the registrar.
- (3) The respondent must serve the respondent's notice not more than 14 days after—
- (a) the registrar serves the application; or
 - (b) a direction to do so.
- (4) The respondent's notice must—
- (a) state whether the respondent wants to make representations at the hearing of the application for permission or reference and whether he wants to do so in person or by a legal representative on his behalf;
 - (b) include or attach any application for the following, stating the reasons for the application—
 - (i) an extension of time within which to serve the respondent's notice; and
 - (ii) permission to be present at a hearing under regulation 7(2) of the 2009 Regulations.
- (5) The period in paragraph (3) may be extended by the court before or after the period expires.

Changes to legislation:

There are currently no known outstanding effects for the The Court Martial Appeal Court Rules 2009, Section 58.