STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 73

APPEAL TO THE COURT OF APPEAL UNDER POCA 2002: RESTRAINT OR RECEIVERSHIP ORDERS

Notice of appeal

73.2.—(1) Where an appellant wishes to apply to the Court of Appeal for leave to appeal under section 43 or 65 of the Proceeds of Crime Act 2002 Act, he must serve a notice of appeal in the form set out in the Practice Direction on the Crown Court officer.

(2) Unless the Registrar, a single judge or the Court of Appeal directs otherwise, the appellant must serve the notice of appeal, accompanied by a respondent's notice in the form set out in the Practice Direction for the respondent to complete, on—

    (a) each respondent;

    (b) any person who holds realisable property to which the appeal relates; and

    (c) any other person affected by the appeal,

as soon as practicable and in any event not later than 7 days after the notice of appeal is served on a Crown Court officer.

(3) The appellant must serve the following documents with his notice of appeal—

    (a) four additional copies of the notice of appeal for the Court of Appeal;

    (b) four copies of any skeleton argument;

    (c) one sealed copy and four unsealed copies of any order being appealed;

    (d) four copies of any witness statement or affidavit in support of the application for leave to appeal;

    (e) four copies of a suitable record of the reasons for judgment of the Crown Court; and

    (f) four copies of the bundle of documents used in the Crown Court proceedings from which the appeal lies.

(4) Where it is not possible to serve all of the documents referred to in paragraph (3), the appellant must indicate which documents have not yet been served and the reasons why they are not currently available.

(5) The appellant must provide a Crown Court officer with a certificate of service stating that he has served the notice of appeal on each respondent in accordance with paragraph (2) and including full details of each respondent or explaining why he has been unable to effect service.