
STATUTORY INSTRUMENTS

2011 No. 1709

The Criminal Procedure Rules 2011

PART 64

APPEAL TO THE HIGH COURT BY WAY OF CASE STATED

Extension of time limits by a magistrates' court

64.4.—(1) If a magistrates' court officer is unable to send to the applicant a draft case under rule 64.2(1) within the time required by that paragraph, he shall do so as soon as practicable thereafter and the provisions of that rule shall apply accordingly; but in that event a court officer shall attach to the draft case, and to the final case when it is sent to the applicant or his legal representative under rule 64.3(3), a statement of the delay and the reasons for it.

(2) If a magistrates' court officer receives an application in writing from or on behalf of the applicant or the respondent for an extension of the time within which representations on the draft case may be made under rule 64.2(2), together with reasons in writing for it, the justices' clerk may, by notice in writing sent to the applicant, or respondent as the case may be, by the magistrates' court officer, extend the time and the provisions of that paragraph and of rule 64.3 shall apply accordingly; but in that event the court officer shall attach to the final case, when it is sent to the applicant or his legal representative under rule 64.3(3), a statement of the extension and the reasons for it.

(3) If the justices are unable to state a case within the time required by rule 64.3(1), they shall do so as soon as practicable thereafter and the provisions of that rule shall apply accordingly; but in that event a court officer shall attach to the final case, when it is sent to the applicant or his legal representative under rule 64.3(3), a statement of the delay and the reasons for it.