
STATUTORY INSTRUMENTS

2011 No. 1709

The Criminal Procedure Rules 2011

PART 68

APPEAL TO THE COURT OF APPEAL ABOUT CONVICTION OR SENTENCE

Renewal or setting aside of order for retrial

68.14.—(1) This rule applies where—

- (a) a prosecutor wants a defendant to be arraigned more than 2 months after the court ordered a retrial under section 7 of the Criminal Appeal Act 1968(1); or
 - (b) a defendant wants such an order set aside after 2 months have passed since it was made.
- (2) That party must apply in writing, with reasons, and serve the application on—
- (a) the Registrar;
 - (b) the other party.

[Note. Section 8(1) and (1A) of the Criminal Appeal Act 1968(2) set out the criteria for making an order on an application to which this rule applies.]

(1) 1968 c.19; section 7 was amended by sections 43 and 170 of, and Schedule 16 to, the Criminal Justice Act 1988 (c. 33) and section 331 of, and paragraph 44 of Schedule 36 to, the Criminal Justice Act 2003 (c. 44).

(2) 1968 c.19; section 8(1) was amended by section 56 of, and Part IV of Schedule 11 to, the Courts Act 1971 (c. 23) and section 43 of the Criminal Justice Act 1988 (c. 33). Section 8(1A) was inserted by section 43(4) of the Criminal Justice Act 1988 (c. 33).