
STATUTORY INSTRUMENTS

2012 No. 1726

The Criminal Procedure Rules 2012

PART 66

**APPEAL TO THE COURT OF APPEAL AGAINST
RULING AT PREPARATORY HEARING**

When this Part applies

66.1.—(1) This Part applies where a party wants to appeal under—

- (a) section 9(11) of the Criminal Justice Act 1987(1) or section 35(1) of the Criminal Procedure and Investigations Act 1996(2); or
- (b) section 47(1) of the Criminal Justice Act 2003(3).

(2) A reference to an ‘appellant’ in this Part is a reference to such a party.

[Note. Under section 9(11) of the Criminal Justice Act 1987 (which applies to serious or complex fraud cases) and under section 35(1) of the Criminal Procedure and Investigations Act 1996 (which applies to other complex, serious or long cases) a party may appeal to the Court of Appeal against an order made at a preparatory hearing in the Crown Court.

Under section 47(1) of the Criminal Justice Act 2003 a party may appeal to the Court of Appeal against an order in the Crown Court that because of jury tampering a trial will continue without a jury or that there will be a new trial without a jury.

Part 15 contains rules about preparatory hearings.

The rules in Part 65 also apply where this Part applies.]

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- (1) 1987 c. 38; section 9(11) was amended by sections 45 and 310 of the Criminal Justice Act 2003 (c. 44). The section 45 amendment is in force for certain purposes; for remaining purposes it has effect from a date to be appointed.
- (2) 1996 c. 25; section 35(1) was amended by section 45 of the Criminal Justice Act 2003 (c. 44). The amendment is in force for certain purposes, for remaining purposes it has effect from a date to be appointed. Section 35 was also amended by paragraphs 65 and 69 of Schedule 36 to the Criminal Justice Act 2003 (c. 44) and section 59 of, and paragraph 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c. 4). It is further amended by Part 10 of Schedule 10 to the Protection of Freedoms Act 2012 (c. 9) with effect from a date to be appointed.
- (3) 2003 c. 44.