
STATUTORY INSTRUMENTS

2013 No. 1554

The Criminal Procedure Rules 2013

PART 72

**APPEAL TO THE COURT OF APPEAL UNDER THE PROCEEDS OF CRIME
ACT 2002: PROSECUTOR'S APPEAL REGARDING CONFISCATION**

Amendment and abandonment of appeal

72.3.—(1) The appellant may amend a notice of appeal served under rule 72.1 or abandon an appeal under section 31 of the Proceeds of Crime Act 2002—

- (a) without the permission of the Court at any time before the Court of Appeal have begun hearing the appeal; and
- (b) with the permission of the Court after the Court of Appeal have begun hearing the appeal, by serving notice in writing on the Registrar.

(2) Where the appellant serves a notice abandoning an appeal under paragraph (1), he must send a copy of it to—

- (a) the defendant;
- (b) a court officer of the court of trial; and
- (c) the magistrates' court responsible for enforcing any confiscation order which the Crown Court has made.

(3) Where the appellant serves a notice amending a notice of appeal under paragraph (1), he must send a copy of it to the defendant.

(4) Where an appeal is abandoned under paragraph (1), the application for leave to appeal or appeal shall be treated, for the purposes of section 85 of the 2002 Act (conclusion of proceedings), as having been refused or dismissed by the Court of Appeal.