
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 36

APPEAL TO THE COURT OF APPEAL: GENERAL RULES

Abandoning an appeal

- 36.13.**—(1) This rule applies where an appellant wants to—
- (a) abandon—
 - (i) an application to the court for permission to appeal, or
 - (ii) an appeal; or
 - (b) reinstate such an application or appeal after abandoning it.
- (2) The appellant—
- (a) may abandon such an application or appeal without the court’s permission by serving a notice of abandonment on—
 - (i) the Registrar, and
 - (ii) any respondentbefore any hearing of the application or appeal; but
 - (b) at any such hearing, may only abandon that application or appeal with the court’s permission.
- (3) A notice of abandonment must be in the form [F1 issued under] the Practice Direction, signed by or on behalf of the appellant.
- (4) On receiving a notice of abandonment the Registrar must—
- (a) date it;
 - (b) serve a dated copy on—
 - (i) the appellant,
 - (ii) the appellant’s custodian, if any,
 - (iii) the Crown Court officer, and
 - (iv) any other person on whom the appellant or the Registrar served the appeal notice; and
 - (c) treat the application or appeal as if it had been refused or dismissed by the Court of Appeal.
- (5) An appellant who wants to reinstate an application or appeal after abandoning it must—
- (a) apply in writing, with reasons; and
 - (b) serve the application on the Registrar.

[Note. The Court of Appeal has power only in exceptional circumstances to allow an appellant to reinstate an application or appeal that has been abandoned.]

Changes to legislation: There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 36.13. (See end of Document for details)

Textual Amendments

- F1** Words in [rule 36.13\(3\)](#) substituted (2.10.2023) by [The Criminal Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/786\)](#), [rule 1](#), [Sch. para. 35](#)
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Commencement Information

- I1** Rule 36.13 in force at 5.10.2020, see Preamble

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Procedure Rules 2020, Section 36.13.