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STATUTORY INSTRUMENTS

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**2020 No. 759**

**The Criminal Procedure Rules 2020**

**PART 42**

**APPEAL TO THE COURT OF APPEAL IN  
CONFISCATION AND RELATED PROCEEDINGS**

*GENERAL RULES*

**Appeal to the Supreme Court**

**42.10.**—(1) An application to the Court of Appeal for permission to appeal to the Supreme Court under Part 2 of the Proceeds of Crime Act 2002 must be made—

- (a) orally after the decision of the Court of Appeal from which an appeal lies to the Supreme Court; or
- (b) in the form [F1 issued under] the Practice Direction, in accordance with article 12 of the Proceeds of Crime Act 2002 (Appeals under Part 2) Order 2003 and served on the Registrar.

(2) The application may be abandoned at any time before it is heard by the Court of Appeal by serving notice in writing on the Registrar.

(3) Rule 36.6(6) (Hearings) applies in relation to a single judge exercising any of the powers referred to in article 15 of the 2003 Order, as it applies in relation to a single judge exercising the powers referred to in section 31(2) of the Criminal Appeal Act 1968.

(4) Rule 36.5 (Renewing an application refused by a judge or the Registrar) applies where a single judge has refused an application by a party to exercise in that party's favour any of the powers listed in article 15 of the 2003 Order as they apply where the judge has refused to exercise the powers referred to in section 31(2) of the 1968 Act.

(5) The form in which rule 36.5(2) requires an application to be made may be modified as necessary.

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**Textual Amendments**

- F1** Words in rule 42.10(1)(b) substituted (2.10.2023) by [The Criminal Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/786\)](#), rule 1, [Sch. para. 46](#)
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**Commencement Information**

- I1** Rule 42.10 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 42.10.