

STATUTORY INSTRUMENTS

**2020 No. 759**

The Criminal Procedure Rules 2020

PART 42

APPEAL TO THE COURT OF APPEAL IN  
CONFISCATION AND RELATED PROCEEDINGS

*CONFISCATION: APPEAL BY PROSECUTOR  
OR BY PERSON WITH INTEREST IN PROPERTY*

**Respondent's notice**

**42.12.**—(1) This rule applies where a [F<sup>1</sup>respondent] is served with a notice of appeal under rule 42.11.

(2) If the [F<sup>1</sup>respondent] wishes to oppose the application for permission to appeal, the [F<sup>1</sup>respondent] must, not more than 10 business days after service of the notice of appeal, serve on the Registrar and on the appellant a notice in the form [F<sup>2</sup>issued under] the Practice Direction—

- (a) stating the date on which the notice of appeal was served;
- (b) summarising the [F<sup>3</sup>respondent's] response to the arguments of the appellant; and
- (c) specifying the authorities which the [F<sup>1</sup>respondent] intends to cite.

(3) The time for giving notice under this rule may be extended by the Registrar, a single judge or by the Court of Appeal.

(4) Where the Registrar refuses an application under paragraph (3) for the extension of time, the [F<sup>1</sup>respondent] is entitled to have the application determined by a single judge.

(5) Where a single judge refuses an application under paragraph (3) or (4) for the extension of time, the [F<sup>1</sup>respondent] is entitled to have the application determined by the Court of Appeal.

**Textual Amendments**

- F1** Word in rule 42.12 substituted (4.4.2022) by [The Criminal Procedure \(Amendment\) Rules 2022 \(S.I. 2022/45\)](#), rules 1, **11(c)**
- F2** Words in rule 42.12(2) substituted (2.10.2023) by [The Criminal Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/786\)](#), rule 1, **Sch. para. 48**
- F3** Word in rule 42.12(2)(b) substituted (4.4.2022) by [The Criminal Procedure \(Amendment\) Rules 2022 \(S.I. 2022/45\)](#), rules 1, **11(c)**

**Commencement Information**

- I1** Rule 42.12 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 42.12.