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STATUTORY INSTRUMENTS

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**2020 No. 759**

**The Criminal Procedure Rules 2020**

**PART 50**

**EXTRADITION**

*SECTION 3: APPEAL TO THE HIGH COURT*

**Duties of court officers**

- 50.29.**—(1) The magistrates' court officer must—
- (a) keep any document or object exhibited in the proceedings in the magistrates' court, or arrange for it to be kept by some other appropriate person, until—
    - (i) 6 weeks after the conclusion of those proceedings, or
    - (ii) the conclusion of any proceedings in the High Court that begin within that 6 weeks;
  - (b) provide the High Court with any document, object or information for which the High Court officer asks, within such period as the High Court officer may require; and
  - (c) arrange for the magistrates' court to hear as soon as practicable any application to that court for bail pending appeal.
- (2) A person who, under arrangements made by the magistrates' court officer, keeps a document or object exhibited in the proceedings in the magistrates' court must—
- (a) keep that exhibit until—
    - (i) 6 weeks after the conclusion of those proceedings, or
    - (ii) the conclusion of any proceedings in the High Court that begin within that 6 weeks, unless the magistrates' court or the High Court otherwise directs; and
  - (b) provide the High Court with any such document or object for which the High Court officer asks, within such period as the High Court officer may require.
- (3) The High Court officer must—
- (a) give as much notice as reasonably practicable of each hearing to—
    - (i) the parties,
    - (ii) the defendant's custodian, if any, and
    - (iii) any other person whom the High Court requires to be notified;
  - (b) serve a record of each order or direction of the High Court on—
    - (i) the parties,
    - (ii) any other person whom the High Court requires to be notified;
  - (c) if the High Court's decision determines an appeal or application for permission to appeal, serve a record of that decision on—

- (i) the defendant’s custodian, if any,
  - (ii) the magistrates’ court officer, and
  - (iii) the designated authority which certified the arrest warrant, where Part 1 of the Extradition Act 2003 applies;
- (d) where rule 50.24 applies (Early termination of appeal: order by consent, etc.), arrange for the High Court to consider the document or documents served under that rule; and
- (e) treat the appeal as if it had been dismissed by the High Court where—
- (i) the hearing of the appeal does not begin within the period required by rule 50.23 (Appeal hearing) or ordered by the High Court, or
  - (ii) on an appeal by a requesting territory under section 105 of the Extradition Act 2003(1), the High Court directs the magistrates’ court to decide a question again and the magistrates’ court comes to the same conclusion as it had done before.

*[Note. See section 106 of the Extradition Act 2003(2).]*

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(1) 2003 c. 41; section 105 was amended by section 160 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).  
(2) 2003 c. 41; section 106 was amended by section 42 of, and paragraph 8 of Schedule 13 to, the Police and Justice Act 2006 (c. 48).