
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 73

APPEAL TO THE COURT OF APPEAL UNDER POCA
2002—RESTRAINT OR RECEIVERSHIP ORDERS

Respondent's notice

73.3.—(1) This rule applies to an appeal under section 43 or 65 of the Proceeds of Crime Act 2002.

(2) A respondent may serve a respondent's notice on the Registrar.

(3) A respondent who—

(a) is seeking leave to appeal from the Court of Appeal; or

(b) wishes to ask the Court of Appeal to uphold the decision of the Crown Court for reasons different from or additional to those given by the Crown Court,

must serve a respondent's notice on the Registrar.

(4) A respondent's notice must be in the form set out in the Practice Direction and where the respondent seeks leave to appeal to the Court of Appeal it must be requested in the respondent's notice.

(5) A respondent's notice must be served on the Registrar not later than 14 days after—

(a) the date the respondent is served with notification that the Court of Appeal has given the appellant leave to appeal; or

(b) the date the respondent is served with notification that the application for leave to appeal and the appeal itself are to be heard together.

(6) Unless the Registrar, a single judge or the Court of Appeal directs otherwise, the respondent serving a respondent's notice must serve the notice on the appellant and any other respondent—

(a) as soon as practicable; and

(b) in any event not later than seven days,

after it is served on the Registrar.

[Note. Formerly rule 8 of the Criminal Appeal (Confiscation, Restraint and Receivership) Rules 2003.]