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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 203**

**The Criminal Justice Act 2003 (Retrial for Serious Offences) (Northern Ireland) Order 2005**

**Powers of Court of Appeal which are exercisable by the proper officer**

- 3.—(1) The following powers of the Court of Appeal may be exercised by the proper officer –
- (a) the power to order the production of any document, exhibit or other thing under section 80(6)(a) of the 2003 Act; and
  - (b) the power to order any witness who would be a compellable witness in proceedings pursuant to an order or declaration made on the application to attend for examination and be examined before the Court of Appeal under section 80(6)(b) of the 2003 Act.
- (2) If the proper officer refuses an application on the part of a party to exercise in his favour any of the powers specified in paragraph (1), the party shall be entitled to have his application determined by a single judge.