

1976 No. 1532 (L. 28)

SUPREME COURT OF JUDICATURE, ENGLAND

The Crown Court (Amendment) Rules 1976

Made - - - - 13th September 1976

Laid before Parliament 24th September 1976

Coming into Operation 18th October 1976

We, the Crown Court rule committee, in exercise of the powers conferred on us by sections 14(1) and (2) and 15 of the Courts Act 1971(a), hereby make the following Rules:—

1. These Rules may be cited as the Crown Court (Amendment) Rules 1976 and shall come into operation on 18th October 1976.

2. In these Rules any reference to the principal Rules is a reference to the Crown Court Rules 1971(b).

3. Rule 6 of the principal Rules (which relates to the application of Part III thereof) shall be amended by substituting for the words “This Part”, where they occur in paragraph (2) thereof, the words “Without prejudice to rule 7(5), this Part”.

4. Rule 7 of the principal Rules (which relates to the notice of appeal in an appeal to the Crown Court) shall be amended as follows:—

(a) for paragraphs (3) and (4), there shall be substituted the following paragraphs:—

“(3) Notice of appeal shall be given within 21 days after the day on which the decision appealed against is given and, for this purpose, where the court has adjourned the trial of an information after conviction, that day shall be the day on which the court sentences or otherwise deals with the offender.

(4) A notice of appeal shall state—

(a) in the case of an appeal arising out of a conviction by a magistrates’ court, whether the appeal is against conviction or sentence or both; and

(b) in the case of an appeal under an enactment listed in Part III of Schedule 1, the grounds of appeal.”;

(b) in paragraph (5), after the word “appeal” there shall be inserted the words “(whether prescribed under paragraph (3), or under an enactment listed in Part I of Schedule 1)”.

(a) 1971 c. 23.

(b) 1971/1292 (1971 II, p. 3696).

5. Schedule 1 to the principal Rules shall be amended by inserting after Part II the following Part:—

“PART III

APPEALS IN WHICH THE NOTICE OF APPEAL IS TO STATE THE
 GROUNDS OF APPEAL

<i>Chapter</i>	<i>Act</i>	<i>Section or Schedule</i>
1952 c. 68.	The Cinematograph Act 1952	Section 6.
1957 c. 56.	The Housing Act 1957	Section 14(5).
1963 c. 2.	The Betting, Gaming and Lotteries Act 1963	Schedule 1, paragraphs 21, 28. Schedule 2, paragraph 6. Schedule 3, paragraph 13. Schedule 6, paragraph 8. Schedule 7, paragraph 5.
1963 c. 33.	The London Government Act 1963	Schedule 12, paragraph 19(2).
1964 c. 26.	The Licensing Act 1964	Sections 22, 50, 146, 154.
1967 c. 9.	The General Rate Act 1967	Section 7(1).
1968 c. 54.	The Theatres Act 1968	Section 14(4).
1968 c. 65.	The Gaming Act 1968	Schedule 2, paragraphs 29, 31, 45, 46, 50, 61. Schedule 3, paragraphs 12, 13, 15, 16. Schedule 7, paragraphs 11, 20. Schedule 9, paragraph 11.”.

Dated 13th September 1976.

Elwyn-Jones, C.
Widgery, C.J.
Frederick Lawton, L.J.
Hugh Griffiths, J.
Bernard B. Gillis.
John Rutter.
D. R. Thompson.
Geoffrey Powell-Davis.
Wigoder.
Norman Cooper.
G. G. A. Whitehead.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Crown Court Rules 1971 in two ways. First, a requirement is imposed on a person appealing under certain specified enactments to include his grounds of appeal in his notice of appeal. Secondly, the power to extend the period within which a notice must be given is applied to cases where that period is specified in an enactment listed in Part I of Schedule 1 (enactments which make special procedural provisions in respect of certain appeals).

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