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STATUTORY INSTRUMENTS

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**2009 No. 2657**

**The Court Martial Appeal Court Rules 2009**

**PART 9**

**REFERENCE TO THE COURT OF AN UNDULY LENIENT SENTENCE**

**Registrar's notice to offender**

**57.**—(1) The registrar must serve on the person to whom proceedings relate—

- (a) a notice of reference of the case;
- (b) an application for permission to refer the case.

(2) Where the Attorney General applies for permission to refer a case, the registrar must give the person to whom proceedings relate notice—

- (a) that the outcome of the reference may make a difference to his sentence, and in particular may result in a more severe sentence;
- (b) that he may serve a respondent's notice;
- (c) of the effect of regulations—
  - (i) 7(1) (entitlement of offender to be present at hearings),
  - (ii) 7(2) (offender in custody requires leave to be present at hearing),
  - (iii) 7(3) (power of court to pass sentence on offender not present), and
  - (iv) 9 (entitlement of offender to reasonable costs),of the 2009 Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Court Martial Appeal Court Rules 2009, Section 57.