



Criminal Procedure and Investigations Act 1996

1996 CHAPTER 25

PART III

PREPARATORY HEARINGS

Appeals

35 Appeals to Court of Appeal

- (1) An appeal shall lie to the Court of Appeal from any ruling of a judge under section 31(3), but only with the leave of the judge or of the Court of Appeal.
- (2) The judge may continue a preparatory hearing notwithstanding that leave to appeal has been granted under subsection (1), but no jury shall be sworn until after the appeal has been determined or abandoned.
- (3) On the termination of the hearing of an appeal, the Court of Appeal may confirm, reverse or vary the decision appealed against.
- (4) Subject to rules of court made under section 53(1) of the Supreme Court Act 1981 (power by rules to distribute business of Court of Appeal between its civil and criminal divisions)—
 - (a) the jurisdiction of the Court of Appeal under subsection (1) above shall be exercised by the criminal division of the court;
 - (b) references in this Part to the Court of Appeal shall be construed as references to that division.

36 Appeals to House of Lords

- (1) In the Criminal Appeal Act 1968, in—
 - (a) section 33(1) (right of appeal to House of Lords), and

Status: This is the original version (as it was originally enacted).

- (b) section 36 (bail),
after “1987” there shall be inserted “or section 35 of the Criminal Procedure and Investigations Act 1996”.
- (2) The judge may continue a preparatory hearing notwithstanding that leave to appeal has been granted under Part II of the Criminal Appeal Act 1968, but no jury shall be sworn until after the appeal has been determined or abandoned.