

*Status: Point in time view as at 14/07/2008.*

**Changes to legislation:** Criminal Justice and Immigration Act 2008, Part 3 is up to date with all changes known to be in force on or before 06 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 27

#### TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

#### PART 3

#### APPEALS

##### *Appeals against conviction etc.*

- 14 The amendment made by section 42 applies in relation to an appeal under Part 1 of the Criminal Appeal Act 1968 (c. 19) if the reference by the Criminal Cases Review Commission is made on or after the date on which that section comes into force.

##### Commencement Information

- II** Sch. 27 para. 14 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), Sch. 1 para. 49

- 15 The amendment made by section 43 applies in relation to an appeal under Part 1 of the Criminal Appeal (Northern Ireland) Act 1980 (c. 47) if the reference by the Criminal Cases Review Commission is made on or after the date on which that section comes into force.

##### Commencement Information

- II** Sch. 27 para. 15 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), Sch. 1 para. 49

##### *Prosecution appeals*

- 16 (1) The amendment made by section 44 applies in relation to an appeal under Part 9 of the Criminal Justice Act 2003 (c. 44) if the proceedings on appeal begin on or after the date on which that section comes into force.
- (2) For the purposes of this paragraph, the proceedings on appeal begin—
- if the prosecution appeals with leave of the Crown Court judge, on the date the application for leave is served on the Crown Court officer or, in the case of an oral application, on the date the application is made, or
  - if the prosecution appeals with leave of the Court of Appeal, on the date the application for leave is served on the Crown Court officer.
- (3) In this paragraph, references to service on the Crown Court officer are to be read in accordance with the Criminal Procedure Rules 2005 (S.I.2005/384).

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**Commencement Information**

**I3** Sch. 27 para. 16 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), Sch. 1 para. 49

- 17 (1) The amendment made by section 45 applies in relation to an appeal under Part IV of the Criminal Justice (Northern Ireland) Order 2004 (S.I. 2004/1500 (N.I.9)) if the proceedings on appeal begin on after the date on which that section comes into force.
- (2) For the purposes of this paragraph, the proceedings on appeal begin—
- (a) if the prosecution appeals with leave of the Crown Court judge, on the date the application for leave is made,
  - (b) if the prosecution appeals with leave of the Court of Appeal, on the date the application for leave is served on the proper officer, or
  - (c) if leave to appeal is not required, on the date the prosecution informs the Crown Court judge that it intends to appeal.
- (3) In this paragraph, “the proper officer” has the same meaning as in the Criminal Appeal (Prosecution Appeals) Rules (Northern Ireland) 2005 (S.R. (N.I.) 2005/159).

**Commencement Information**

**I4** Sch. 27 para. 17 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), Sch. 1 para. 49

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