
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

PART 41

RETRIAL FOLLOWING ACQUITTAL FOR SERIOUS OFFENCE

Service

41.17.—(1) Where this Part requires service of a document on the Registrar then, unless the Registrar, a single judge or the Court of Appeal directs otherwise, the document may be served by any of the following methods—

- (a) in the case of an acquitted person in custody, by delivering it to the person who has custody of him;
- (b) by addressing it to the Registrar and delivering it at, or sending it by first class post to his office at the Royal Courts of Justice London WC2A 2LL; or
- (c) if the Registrar has indicated that he is willing to accept service by facsimile or other means of electronic communication, by sending a legible copy of the document by such means to the Registrar.

(2) Where this Part requires service of a document on the Crown Court officer then, unless the Registrar, a single judge or the Court of Appeal directs otherwise, the document may be served by any of the following methods—

- (a) in the case of an acquitted person in custody, by delivering it to the person who has custody of him;
- (b) by delivering it to, or sending it by first class post to the court officer at the Crown Court at which the ruling appealed against was made; or
- (c) if the court officer has indicated that he is willing to accept service by facsimile or other means of electronic communication, by sending a legible copy of the document by such means to that officer.

(3) A person who has custody of an acquitted person and to whom the acquitted person delivers a document under paragraph (1)(a) or (2)(a) must endorse on it the date of delivery and forward it to the Registrar or the court officer as the case may be.

(4) Where this Part requires the service of a document on any other person then, unless the Registrar, a single judge or the Court of Appeal directs otherwise, the document may be served by any of the following methods—

- (a) personally on that person or their solicitor;
- (b) by first class post to that person's last known residence or place of business or to their solicitor's business address;
- (c) leaving it at that person's known address or place of business;

- (d) if the party has indicated that he is willing to accept service by facsimile or other means of electronic communication, by sending a legible copy of the document by such means to that party; and
 - (e) where the person or their solicitor has given a number of a box at a document exchange and has not indicated that they are unwilling to accept service through a document exchange, by leaving it at the document exchange addressed to the box number.
- (5) Where a document is served under this Part by any method other than personal service it is deemed to be served—
- (a) in the case of a document left at an address, on the next business day after the day on which it was left;
 - (b) in the case of a document sent by first class post, on the second business day after the day on which it was posted;
 - (c) in the case of a document left at a document exchange, on the second business day after the day on which it was left;
 - (d) in the case of a document transmitted by fax or other electronic means on a business day before 5 p.m., on that day; and
 - (e) in the case of a document transmitted by fax or other electronic means at any time other than that specified in paragraph (d), on the next business day after the day on which it was transmitted.