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STATUTORY INSTRUMENTS

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**2009 No. 1211**

**The Armed Forces (Summary Appeal Court) Rules 2009**

**PART 3**

**BRINGING AN APPEAL**

**CHAPTER 3**

**UNCONTESTED APPEALS**

**Director to give notice of intention on receipt of notice of appeal**

**19.—**(1) Where—

- (a) a notice of appeal under rule 15,
- (b) notice that an application under rule 16 has been granted, or
- (c) notice that an application under rule 17 has been granted,

has been served on the Director and that notice relates to one or more appeals against finding, the Director shall, within 28 days from the date of that notice, give notice in writing to the court administration officer indicating whether or not he intends to contest any such appeal.

(2) Where the Director has given notice under paragraph (1) that he intends to contest an appeal, he may at any time prior to the hearing of the appeal give notice that he no longer intends to contest it; and any such notice shall have effect for the purposes of these Rules as a notice under paragraph (1) that he does not intend to contest the appeal.

(3) Where the Director does not within the period specified in paragraph (1) give notice that he intends to contest the appeal, the failure to give notice shall have the effect as a notice under paragraph (1) that he does not intend to contest the appeal.

(4) On the application of the Director, the Judge Advocate General may, if he considers it in the interests of justice to so do, extend the period at paragraph (1).