
STATUTORY INSTRUMENTS

2009 No. 2657

The Court Martial Appeal Court Rules 2009

PART 6

**APPEALS IN PRELIMINARY PROCEEDINGS
AND AGAINST CERTAIN ORDERS**

CHAPTER 2

APPEALS AGAINST A REPORTING OR PUBLIC ACCESS ORDER

Advance notice of an appeal

34.—(1) This rule applies where an appellant wants to appeal against an order (including directions) that he considers may be made by the Court Martial restricting the access of the public to the whole or part of any proceedings of the Court Martial.

(2) The appellant may serve advance written notice of intention to appeal against any such order that may be made.

(3) The appellant must serve any such advance notice on—

- (a) the registrar;
- (b) the Director (unless he is the appellant);
- (c) the person to whom proceedings relate (unless he is the appellant);
- (d) any other person who would be directly affected by the order against which the appellant intends to seek permission to appeal if it is made;
- (e) if not included in sub-paragraphs (b) to (d), the person applying for the order.

(4) Subject to rule 38, any such advance notice must be served not more than seven days after the court administration officer displays a notice of the application for the public access order.

(5) The advance notice must include the same information (with necessary adaptations) as an appeal notice under rule 33.

(6) The court must treat the advance notice as the appeal notice if the order is made.

Changes to legislation:

There are currently no known outstanding effects for the The Court Martial Appeal Court Rules 2009, Section 34.