
STATUTORY INSTRUMENTS

2015 No. 1490

The Criminal Procedure Rules 2015

PART 50

EXTRADITION

SECTION 3: APPEAL TO THE HIGH COURT

Discontinuing an appeal

50.24.—(1) This rule applies where—

- (a) an appellant has served an appeal notice under rule 50.19;
 - (b) the High Court has given permission to appeal to the High Court; and
 - (c) the court has not determined the appeal.
- (2) If the appellant wants to discontinue the appeal, the appellant must notify—
- (a) the High Court officer;
 - (b) the respondent;
 - (c) the Director of Public Prosecutions, unless the Director already has the conduct of the proceedings; and
 - (d) any other person on whom the appellant served the appeal notice.
- (3) The parties to the appeal must serve on the High Court officer—
- (a) a joint notice consenting to the dismissal of the appeal; and
 - (b) a joint notice of any agreement between the parties about costs.
- (4) Where a defendant who is on bail pending appeal discontinues that appeal—
- (a) the defendant must surrender to custody as directed by the magistrates' court officer; and
 - (b) any conditions of bail apply until then.

[Note. See sections 36 and 118 of the Extradition Act 2003(1).

The Practice Direction sets out a form of notice of discontinuance for use in connection with this rule.

Part 45 contains rules about costs.]

(1) 2003 c. 41; sections 36 and 118 were amended by section 40 of, and paragraph 81 of Schedule 9 to, the Constitutional Reform Act 2005 (c. 4).