
STATUTORY INSTRUMENTS

2020 No. 759

The Criminal Procedure Rules 2020

PART 47

INVESTIGATION ORDERS AND WARRANTS

SECTION 4: ORDERS FOR THE RETENTION OR RETURN OF PROPERTY

Exercise of court's powers

- 47.36.**—(1) The court may determine an application for an order—
- (a) at a hearing (which must be in private unless the court otherwise directs), or without a hearing; and
 - (b) in a party's absence, if that party—
 - (i) applied for the order, or
 - (ii) has had at least 10 business days in which to make representations.
- (2) The court officer must arrange for the court to hear such an application no sooner than 10 business days after it was served, unless—
- (a) the court directs that no hearing need be arranged; or
 - (b) the court gives other directions for the hearing.
- (3) If the court so directs, the parties to an application may attend a hearing by live link or telephone.
- (4) The court may—
- (a) shorten or extend (even after it has expired) a time limit under this Section;
 - (b) dispense with a requirement for service under this Section (even after service was required); and
 - (c) consider an application made orally instead of in writing.
- (5) A person who wants an extension of time must—
- (a) apply when serving the application or representations for which it is needed; and
 - (b) explain the delay.