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| APPEAL TO THE CROWN COURT FROM A MAGISTRATES’ COURT **APPEAL AGAINST A DECISION ON AN APPLICATION RELATING TO CRYPTOASSETS** (Proceeds of Crime Act 2002 – sections 303Z47 & 303Z61) |
| Use this form ONLY for an appeal to the Crown Court under section 303Z47 or 303Z61 of the Proceeds of Crime Act 2002 against a decision on an application relating to cryptoassets. There is a separate form to use for appeals under the Anti-terrorism, Crime and Security Act 2001. This form is NOT for use in a criminal case - there is a different form for an appeal to the Crown Court against a conviction, sentence or both, and a different form for applying or appealing to the Crown Court about bail under CrimPR 14.8. |
| **Important notice**  (1) an appeal hearing can go ahead even if you do not attend.  (2) if your appeal fails, the court can make a costs order against you. |
| Appellant’s details Name:  Address:  Date of birth:  Email address:  Contact telephone number:  Appeal from …………………………………. Magistrates’ Court  Magistrates’ reference number:  Appeal to the Crown Court at:  Is the appellant represented? YesNo  If yes, please give:  Representative’s name:  Representative’s address:  Representative’s email address:  Contact telephone number:  Funding:Representation order granted  Legal aid applied for  Not legally aided |
| **1. Complete the boxes above and give the details required in the boxes below.** If you use an electronic version of this form, the boxes will expand. If you use a paper version and need more space, you may attach extra sheets.  2. Sign and date the completed form.  **3. Send the completed form to the magistrates’ court office AND to any other party to the appeal, not more than 30 days after the date the decision was made which you are appealing against.** Otherwise, you will have to ask the Crown Court for permission to appeal out of time and the court may refuse. |

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| This is an appeal to the Crown Court under:  If you have no legal representative, you may find this question hard to answer. If you are not sure what to put, leave this blank.  section 303Z47(1)(a) Proceeds of Crime Act 2002 – appeal against the making of an order under section 303Z41 (forfeiture order)  section 303Z47(1)(b) Proceeds of Crime Act 2002 – appeal against the making of an order under section 303Z45(7) (forfeiture of associated property or extinguishing of joint owner’s interest or severance of joint owner’s interest)  section 303Z47(1)(c) Proceeds of Crime Act 2002 – appeal against a decision not to make an order under section 303Z41 (forfeiture order) – you cannot appeal under this section if the reason no order was made is that an order was instead made under section 303Z44 (an order requiring the person who holds associated property or who is the excepted joint owner to make a payment to a person identified in the order)  section 303Z47(1)(d) Proceeds of Crime Act 2002 – appeal against a decision not to make an order under section 303Z45(1) (transfer to the High Court)  section 303Z47(2) Proceeds of Crime Act 2002 – appeal against a decision to include, or not to include, provision in the order under section 303Z44(6) (order for payment of reasonable legal expenses that a person has reasonably incurred, or may reasonably incur, in respect of the proceedings in which the order is made, or any related proceedings)  section 303Z61(1) Proceeds of Crime Act 2002 – appeal against an order for the forfeiture of converted cryptoassets (under section 303Z60) or against the decision of the court not to make such an order  Grounds of Appeal:   1. Give brief details of the magistrates’ court decision about which you are appealing. Please   include the date of that decision.   1. Why are you appealing? Please provide the reasons for your appeal. 2. What other information do you want the Crown Court to consider? For example, explain any circumstances of which you think the court should take account or information that you think ought to affect the decision the court makes. 3. Why do you think the above circumstances or information matters to your appeal?   If applicable:  **I need an extension of time for this appeal. My appeal is late because:**  Explain why your appeal is late. Attach copies of any letters or other documents you want the court to see. The time limit for appeal against a magistrates’ court decision is 30 days from the date the decision was made by the magistrates’ court. Only the Crown Court can extend the time limit for appeal.  If applicable:  My appeal should be heard urgently because:  Explain why. Attach copies of any letters or other documents you want the court to see. |
| Case management in the Crown Court  Answer the following questions as far as you can. If you do not know the answer to a question, say so. Any answers that you can give will help the Crown Court to arrange an effective appeal hearing, even if you cannot answer every question.   1. Did you attend the hearing in the magistrates’ court?  Yes  No 2. How long did the hearing last in the magistrates’ court? Say if you don’t know or aren’t sure.   The court may have arranged an interpreter if English is not the first language of one or more of the parties to the case.   1. Was there an interpreter in the magistrates’ court?  Yes  No   If so, for which party?  An interpreter may be required in the Crown Court if English is not the first language of one or more of the parties.   1. Will an interpreter be needed in the Crown Court?  Yes  No   If yes, for which party and in what language (and dialect, if relevant)?  Special measures are measures used to help people give evidence, for example screens and video link.   1. Are special measures required in the Crown Court?  Yes  No   If yes, what special measures are you applying for, and for whom? Say if you don’t know or aren’t sure.   1. How long do you expect the appeal hearing to last in the Crown Court? Say if you don’t know or aren’t sure. 2. Please list all the other parties you have served this appeal notice on below (please include their contact details if you have them):   ☐ By ticking this box, you are confirming that you have notified the above people of this appeal notice, in accordance with section 7(2A) of the Crown Court Rules 1982. |
| **Signed**[[1]](#footnote-1)\*: …………………………………………… **[appellant / appellant’s representative]**  **Name**: …………………………………………………………………………………………  **Date**: …………………………. |

1. \* If you use an electronic version of this form, you may instead authenticate it electronically (e.g. by sending it from an email address recognisable to the recipient). See Criminal Procedure Rules, rule 5.3. [↑](#footnote-ref-1)