



Senior Courts Act 1981

1981 CHAPTER 54

PART II

JURISDICTION

THE HIGH COURT

Other particular fields of jurisdiction

VALID FROM 03/11/2008

[^{F1}31A Transfer of judicial review applications to Upper Tribunal

- (1) This section applies where an application is made to the High Court—
 - (a) for judicial review, or
 - (b) for permission to apply for judicial review.
- (2) If Conditions 1, 2, 3 and 4 are met, the High Court must by order transfer the application to the Upper Tribunal.
- (3) If Conditions 1, 2 and 4 are met, but Condition 3 is not, the High Court may by order transfer the application to the Upper Tribunal if it appears to the High Court to be just and convenient to do so.
- (4) Condition 1 is that the application does not seek anything other than—
 - (a) relief under section 31(1)(a) and (b);
 - (b) permission to apply for relief under section 31(1)(a) and (b);
 - (c) an award under section 31(4);
 - (d) interest;
 - (e) costs.
- (5) Condition 2 is that the application does not call into question anything done by the Crown Court.

Status: Point in time view as at 01/07/1991. This version of this provision is not valid for this point in time.

Changes to legislation: Senior Courts Act 1981, Section 31A is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (6) Condition 3 is that the application falls within a class specified under section 18(6) of the Tribunals, Courts and Enforcement Act 2007.
- (7) Condition 4 is that the application does not call into question any decision made under—
- (a) the Immigration Acts,
 - (b) the British Nationality Act 1981 (c. 61),
 - (c) any instrument having effect under an enactment within paragraph (a) or (b),
or
 - (d) any other provision of law for the time being in force which determines British citizenship, British overseas territories citizenship, the status of a British National (Overseas) or British Overseas citizenship.]

Textual Amendments

- F1** S. 31A inserted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 19**, 148; [S.I. 2008/2696](#), **art. 5(a)** (with [arts. 3](#), [4](#))

Status:

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