
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 52

APPEALS

SECTION II

Permission to appeal – General

[^{F1}Permission to appeal

52.3.—(1) An appellant or respondent requires permission to appeal—

(a) where the appeal is from a decision of a judge in the County Court or the High Court, or to the Court of Appeal from a decision of a judge in the family court, except where the appeal is against—

(i) a committal order [^{F2}made in the County Court or by a single judge of the High Court not sitting on an appeal];

(ii) a refusal to grant habeas corpus; or

(iii) a secure accommodation order made under section 25 of the Children Act 1989 [^{F3}or section 119 of the Social Services and Well-being (Wales) Act 2014]; ^{F4}...

(b) as provided by Practice Directions 52A to 52E [^{F5}; or]

[^{F6}(c) where the appeal is from the decision of—

(i) a Divisional Court in contempt proceedings;

(ii) a single judge of the High Court made on appeal in contempt proceedings;

(iii) the Court of Appeal in contempt proceedings; or

(iv) the Court of Appeal in proceedings other than contempt proceedings.]

(Other enactments may provide that permission is required for particular appeals.)

(2) [^{F7}Unless the appeal is within paragraph (1)(c), an] application for permission to appeal may be made—

(a) to the lower court at the hearing at which the decision to be appealed was made [^{F8}or any adjournment of that hearing]; or

(b) to the appeal court in an appeal notice.

(Rule 52.12 sets out the time limits for filing an appellant's notice at the appeal court. Rule 52.13 sets out the time limits for filing a respondent's notice at the appeal court. Any application for permission to appeal to the appeal court must be made in the appeal notice (see rules 52.12(1) and 52.13(3)).)

- (3) ^{F9}Unless the appeal is within paragraph (1)(c), where] the lower court refuses an application for permission to appeal—
- (a) a further application for permission may be made to the appeal court; and
 - (b) the order refusing permission must specify—
 - (i) the court to which any further application for permission should be made; and
 - (ii) the level of judge who should hear the application.]

Textual Amendments

- F1** Pt. 52 substituted (3.10.2016) by [The Civil Procedure \(Amendment No. 3\) Rules 2016 \(S.I. 2016/788\), rule 2, Sch.](#) (with [rule 16](#))
- F2** Words in rule 52.3(1)(a)(i) inserted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(a\)\(i\)](#)
- F3** Words in rule 52.3(1)(a)(iii) inserted (1.10.2017) by [The Civil Procedure \(Amendment No. 2\) Rules 2017 \(S.I. 2017/889\), rules 1\(1\), 6\(a\)](#)
- F4** Word in rule 52.3(1)(a)(iii) omitted (1.10.2023 immediately after S.I. 2023/572 comes into force) by virtue of [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(a\)\(ii\)](#)
- F5** Word in rule 52.3(1)(b) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(a\)\(iii\)](#)
- F6** Rule 52.3(1)(c) inserted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(a\)\(iv\)](#)
- F7** Words in rule 52.3(2) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(b\)](#)
- F8** Words in rule 52.3(2)(a) inserted (1.10.2021) by [The Civil Procedure \(Amendment No. 4\) Rules 2021 \(S.I. 2021/855\), rules 1\(1\), 9\(1\)](#)
- F9** Words in rule 52.3(3) substituted (1.10.2023 immediately after S.I. 2023/572 comes into force) by [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\), rules 1\(1\), 24\(3\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 52.3.