



Judicature (Northern Ireland) Act 1978

1978 CHAPTER 23

PART III

THE COURT OF APPEAL AND THE HOUSE OF LORDS

42 Appeals to House of Lords in civil cases

- (1) Subject to the provisions of this section and to any restriction imposed by any statutory provision which has effect by virtue of subsection (6), an appeal shall lie to the House of Lords from any order or judgment of the Court of Appeal in any civil cause or matter.
- (2) No appeal shall lie under this section except with the leave of the Court of Appeal or the House of Lords.
- (3) Sections 4 and 5 of the Appellate Jurisdiction Act 1876 (which respectively provide for the bringing of appeals under that Act by way of petition and regulate the composition of the House for the hearing and determination of such appeals) shall apply to an appeal under this section and to the hearing and determination thereof as they apply respectively to an appeal under that Act and to the hearing and determination thereof.
- (4) The House of Lords may by order provide for the hearing and determination by a Committee of that House of petitions for leave to appeal under this section from the Court of Appeal, and the said section 5 shall apply to the hearing and determination of any such petition by a Committee of that House as, by virtue of the last foregoing subsection, it applies to the hearing and determination of an appeal under this section.
- (5) Section 11 of the said Act of 1876 (which relates to the manner in which, and conditions on which, appeals lie to the House of Lords under that Act) shall have effect as if the references therein to that Act included references to this section.
- (6) No appeal from an order or judgment of the Court of Appeal shall, unless it involves a decision of any question as to the validity of any provision made by or under an Act of the Parliament of Northern Ireland or a Measure of the Northern Ireland Assembly, lie under this section in a case where by any statutory provision, including a provision

Status: This is the original version (as it was originally enacted).

of this Act, it is expressly provided (whatever form of words is used) that that order or judgment is to be final.