



Criminal Appeal (Northern Ireland) Act 1980

1980 CHAPTER 47

PART III

MISCELLANEOUS AND SUPPLEMENTARY

Exercise of jurisdiction under this Act by Court of Appeal

45 Powers of Court which are exercisable by single judge.

- (1) Subject to section 44(4) above, the powers of the Court of Appeal under Part I of this Act which are specified in subsection (2) below and the powers of the Court under Part II of this Act which are specified in subsection (3) below may be exercised by a single judge of the Court.
- (2) The said powers under Part I of this Act are the following, namely—
 - (a) to give leave to appeal;
 - (b) to make orders under section 7(2) of this Act and discharge or vary such orders;
 - (c) to extend the time for giving notice of appeal or of application for leave to appeal;
 - [^{F1}(d) to exercise the powers conferred by section 17 of the Act;]
 - (e) to grant legal aid;
 - (f) to give leave for an appellant to be present at any proceedings;
 - (g) to order a witness to attend for examination;
 - (h) to give directions under section 29(2) of this Act;
 - (i) to hear and determine such other matters preliminary or incidental to an appeal as may be prescribed.
- (3) The said powers under Part II of this Act are the following, namely—
 - (a) to extend the time for applying for leave to appeal;

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: *Criminal Appeal (Northern Ireland) Act 1980, Section 45 is up to date with all changes known to be in force on or before 05 July 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)*

- (b) to make an order for or in relation to bail;
- (c) to grant legal aid;
- (d) to give leave for a defendant to be present at the hearing of any proceedings preliminary or incidental to an appeal;
- (e) to make an order under section 41(1) of this Act.

[^{F2}(3A) The power of the Court of Appeal to grant leave to appeal under section 159 of the Criminal Justice Act 1988 may be exercised by a single judge in the same manner as it may be exercised by the Court.]

- (4) An appellant who is aggrieved by the decision of a single judge on any matter under this section shall be entitled to have the matter re-heard and determined by the Court as constituted under section 44 of this Act.

Textual Amendments

- F1** S. 45(2)(d) substituted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, **Sch. 15 para. 77**
- F2** S. 45(3A) inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, **Sch. 15 para. 78**

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

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