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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

[<sup>F1</sup>PART 52  
APPEALS

***II SPECIAL PROVISIONS APPLYING TO THE COURT OF APPEAL***

[<sup>F1</sup>**Judicial review appeals**

**52.15.**—(1) Where permission to apply for judicial review has been refused at a hearing in the High Court, the person seeking that permission may apply to the Court of Appeal for permission to appeal.

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<sup>F2</sup>(1A) Where permission to apply for judicial review of a decision of the Upper Tribunal has been refused by the High Court [<sup>F3</sup>or where permission to apply for judicial review has been refused and recorded as totally without merit in accordance with rule 23.12]—

- (a) the applicant may apply to the Court of Appeal for permission to appeal;
- (b) the application will be determined on paper without an oral hearing.]

(2) An application in accordance with [<sup>F4</sup>paragraphs (1) or (1A)] must be made within 7 days of the decision of the High Court to refuse to give permission to apply for judicial review.

(3) On an application under paragraph (1), the Court of Appeal may, instead of giving permission to appeal, give permission to apply for judicial review.

(4) Where the Court of Appeal gives permission to apply for judicial review in accordance with paragraph (3), the case will proceed in the High Court unless the Court of Appeal orders otherwise.]

**Textual Amendments**

- F1** Pt. 52 inserted (2.5.2000) by [The Civil Procedure \(Amendment\) Rules 2000 \(S.I. 2000/221\)](#), rule 1(b), [Sch. 5](#) (with [rule 39\(a\)](#)) (as amended by [S.I. 2000/940](#), rules 1, 2)
- F2** [Rule 52.15\(1A\)](#) inserted (1.10.2012) by [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, [8\(c\)\(i\)](#)
- F3** Words in [rule 52.15\(1A\)](#) inserted (1.7.2013) by [The Civil Procedure \(Amendment No. 4\) Rules 2013 \(S.I. 2013/1412\)](#), rules 1, [3](#) (with [rule 5](#))
- F4** Words in [rule 52.15\(2\)](#) substituted (1.10.2012) by [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, [8\(c\)\(ii\)](#)

**Status:**

Point in time view as at 01/07/2013. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 52.15.