
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 52

APPEALS

SECTION III

Permission to appeal – judicial review appeals, planning statutory review appeals and appeals from the Employment Appeal Tribunal

[^{F1}**Judicial review appeals from the Upper Tribunal**

52.9.—(1) Where permission to bring judicial review proceedings has been refused by the Upper Tribunal at a hearing and permission to appeal has been refused by the Upper Tribunal, an application for permission to appeal may be made to the Court of Appeal.

(2) Where an application for permission to bring judicial review proceedings has been determined by the Upper Tribunal on the papers and recorded as being totally without merit and permission to appeal has been refused by the Upper Tribunal, an application for permission to appeal may be made to the Court of Appeal.

(3) An application under this rule to the Court of Appeal must be made within 7 days of—

- (a) the decision of the Upper Tribunal refusing permission to appeal to the Court of Appeal, where that decision was made at a hearing; or
- (b) service of the order of the Upper Tribunal refusing permission to appeal to the Court of Appeal, where the decision to refuse permission was made on the papers.]

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)

Status:

Point in time view as at 22/08/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 52.9.