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STATUTORY INSTRUMENTS

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**2014 No. 2044**

**The Civil Procedure (Amendment No. 6) Rules 2014**

**Amendments to the Civil Procedure Rules 1998**

**8. In Part 52—**

- (a) in the table of contents—  
(i) after the entry for rule 52.5 insert—

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“Transcripts at public expense	Rule 52.5A”;
(ii) in the entry for rule 52.15, after “Judicial review appeals” insert “from the High Court”; and	
(iii) after the entry for rule 52.15 insert—	

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- “Judicial review appeals from the Upper Tribunal Rule 52.15A”;
- (b) in rule 52.3(4), after “Subject to paragraph (4A)” insert “and except where a rule or practice direction provides otherwise”;
- (c) after rule 52.5 insert—

**“Transcripts at public expense**

**52.5A.**—(1) Subject to paragraph (2), the lower court or the appeal court may direct, on the application of a party to the proceedings, that an official transcript of the judgment of the lower court, or of any part of the evidence or the proceedings in the lower court, be obtained at public expense for the purposes of an appeal.

- (2) Before making a direction under paragraph (1), the court must be satisfied that—
- (a) the applicant qualifies for fee remission or is otherwise in such poor financial circumstances that the cost of obtaining a transcript would be an excessive burden; and
- (b) it is necessary in the interests of justice for such a transcript to be obtained.”;
- (d) in rule 52.9(3), for “he” substitute “they”;
- (e) in rule 52.15—
- (i) in the title, after “Judicial review appeals” insert “from the High Court”;
- (ii) in paragraph (2), after “apply for judicial review” insert “or, in the case of an application under paragraph (1A), within 7 days of service of the order of the High Court refusing permission to apply for judicial review”; and
- (iii) in paragraph (3), after “under paragraph (1)” insert “or (1A)”; and
- (f) after rule 52.15 insert—

**“Judicial review appeals from the Upper Tribunal**

**52.15A.**—(1) Where permission to bring judicial review proceedings has been refused by the Upper Tribunal 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 recorded by the Upper Tribunal as being completely without merit and an application for permission to appeal is made to the Court of Appeal in accordance with paragraph (1) above, the application will be determined on paper without an oral hearing.

(The time limits for filing an appellant’s notice under rule 52.15A(1) are set out in Practice Direction 52D.)”.