



# Judicature (Northern Ireland) Act 1978

## 1978 CHAPTER 23

### PART II

#### THE HIGH COURT

##### *Supervisory and declaratory jurisdiction*

#### **[<sup>F1</sup>25A Transfer of judicial review applications to Upper Tribunal**

- (1) This section applies where an application is made to the High Court—
  - (a) for judicial review, or
  - (b) for leave to apply for judicial review.
- (2) If Conditions 1, 2 [<sup>F2</sup>and 3] are met, the High Court must by order transfer the application to the Upper Tribunal.

<sup>F3</sup>(2A) .....

- (3) If Conditions 1 [<sup>F4</sup>and 2] are met, but Condition 3 is not, the High Court may by order transfer the application to the Upper Tribunal if it appears to the High Court to be just and convenient to do so.
- (4) Condition 1 is that the application does not seek anything other than—
  - (a) relief under section 18(1)(a) to (e);
  - (b) leave to apply for relief under section 18(1)(a) to (e);
  - (c) an award under section 20;
  - (d) interest;
  - (e) costs.
- (5) Condition 2 is that the application does not call into question anything done by the Crown Court.
- (6) Condition 3 is that the application falls within a class specified under section 18(6) of the Tribunals, Courts and Enforcement Act 2007.

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**Changes to legislation:** *Judicature (Northern Ireland) Act 1978, Section 25A is up to date with all changes known to be in force on or before 10 April 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) View outstanding changes*

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<sup>F5</sup>(7) .....

<sup>F5</sup>(8) .....]

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#### Textual Amendments

- F1** S. 25A inserted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 19(2)**, 148(5); [S.I. 2008/2696, art. 5\(a\)](#) (with arts. 3, 4)
- F2** Words in s. 25A(2) substituted (1.11.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 22(3)(a)**, 61(3); [S.I. 2013/2200, art. 5](#)
- F3** S. 25A(2A) omitted (1.11.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 22(3)(b)**, 61(3); [S.I. 2013/2200, art. 5](#)
- F4** Words in s. 25A(3) substituted (1.11.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 22(3)(c)**, 61(3); [S.I. 2013/2200, art. 5](#)
- F5** S. 25A(7)(8) omitted (1.11.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), **ss. 22(3)(d)**, 61(3); [S.I. 2013/2200, art. 5](#); [S.I. 2013/2200, art. 5](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(1)(1A) substituted for s. 14(1) by [2002 c. 26 Sch. 12 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 5 repealed (3.4.2006) without ever being in force by 2005 c. 4, Sch. 5 para. 125, Sch. 18 Pt. 3; S.I. 2006/1014, art. 2, Sch. 1 paras. 12(f), 30(c))
- s. 106(3A) inserted by [2011 c. 24 \(N.I.\) s. 89\(1\)](#)