



# Criminal Appeal (Northern Ireland) Act 1980

## 1980 CHAPTER 47

### PART II

#### APPEAL TO HOUSE OF LORDS [F<sup>1</sup>FROM COURT OF APPEAL]

##### *The appeal*

#### **32 Application for leave to appeal.**

- (1) Subject to subsection (2) below, an application to the Court of Appeal for leave to appeal under this Part of this Act shall be made within the period of [F<sup>1</sup>28] days beginning with the [F<sup>2</sup>relevant date] ; and an application to [F<sup>3</sup>the Supreme Court] for such leave shall be made within the period of [F<sup>1</sup>28] days beginning with the date on which the application is refused by the Court.

[F<sup>4</sup>(1A) In subsection (1), “the relevant date” means—

- (a) the date of the Court of Appeal’s decision, or
  - (b) if later, the date on which the Court gives reasons for its decision.]
- (2) [F<sup>3</sup>The Supreme Court] or the Court may, upon application made at any time by the defendant, extend the time within which an application may be made by him to [F<sup>3</sup>the Supreme Court] or the Court under subsection (1) above.
- (3) An appeal under this Part of this Act shall be treated as pending until any application for leave to appeal is disposed of and, if leave to appeal is granted, until the appeal is disposed of; and for the purposes of this Part of this Act an application for leave to appeal shall be treated as disposed of at the expiration of the time within which it may be made, if it is not made within that time.

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**Changes to legislation:** *Criminal Appeal (Northern Ireland) Act 1980, Section 32 is up to date with all changes known to be in force on or before 19 February 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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#### **Textual Amendments**

- F1** Word in s. 32(1) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), ss. 110, {s. 105 \(5\)\(a\)}](#); [S.I. 2005/910, art. 3\(x\)](#)
- F2** Words in s. 32(1) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), ss. 110, {s. 105 \(5\)\(b\)}](#); [S.I. 2005/910, art. 3\(x\)](#)
- F3** Words in s. 32 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148, Sch. 9 para. 33\(3\)](#); [S.I. 2009/1604, art. 2\(d\)](#)
- F4** S. 32(1A) inserted (1.4.2005) by [Courts Act 2003 \(c. 39\), ss. 110, {s. 105 \(6\)}](#); [S.I. 2005/910, art. 3\(x\)](#)

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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. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(a\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(b\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(c\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(i\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(ii\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(i\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(ii\)](#)