
Changes to legislation: Transport Act 1985, Cross Heading: Appeals is up to date with all changes known to be in force on or before 20 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

SCHEDULES

SCHEDULE 4

CONSTITUTION, POWERS AND PROCEEDINGS OF THE TRANSPORT TRIBUNAL

Appeals

- 14 (1) Subject to sub-paragraphs (2) and (3) below, an appeal shall lie in accordance with rules made by the [^{F1}Lord Chancellor] from the tribunal to the Court of Appeal or to the Court of Session.
- (2) No appeal shall lie from the tribunal upon a question of fact or locus standi.
- (3) An appeal shall not be brought except in conformity with such rules of court as may from time to time be made in relation to such appeals by the authority having power to make rules of court for the Court of Appeal or the Court of Session (as the case may be).
- (4) On the hearing of an appeal the Court of Appeal and the Court of Session may draw all such inferences as are not inconsistent with the facts expressly found and are necessary for determining the question of law, and may make any order which the tribunal could have made, and also any such further or other order as may be just.
- (5) The costs of and incidental to an appeal shall be at the discretion of the Court, but neither the tribunal nor any member of the tribunal shall be liable to any costs by reason or in respect of any appeal.
- (6) Subject to sub-paragraph (7) below, the decision of the Court of Appeal or the Court of Session (as the case may be) shall be final.
- (7) Where there has been a difference of opinion between those Courts, either of those Courts in which a matter affected by such a difference of opinion is pending may give leave to appeal to the [^{F2}Supreme Court] on such terms as to costs as [^{F2}the Court of Appeal or Court of Session (as the case may be)] shall determine.

Textual Amendments

F1 Words substituted by S.I. 1989/495, art. 2(1)(2)

F2 Words in Sch. 4 para. 14(7) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), Sch. 9 para. 42(3); S.I. 2009/1604, art. 2(d)

Modifications etc. (not altering text)

C1 Functions transferred to the Lord Chancellor by S.I. 1989/495, art. 2(1)(2)

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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. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)