



Access to Justice Act 1999

1999 CHAPTER 22

PART IV

APPEALS, COURTS, JUDGES AND COURT PROCEEDINGS

Civil division of Court of Appeal

59 Composition

In section 54 of the Supreme Court Act 1981 (composition of court of civil division of Court of Appeal), for subsections (2) to (4) (number of judges) substitute—

- “(2) Subject as follows, a court shall be duly constituted for the purpose of exercising any of its jurisdiction if it consists of one or more judges.
- (3) The Master of the Rolls may, with the concurrence of the Lord Chancellor, give (or vary or revoke) directions about the minimum number of judges of which a court must consist if it is to be duly constituted for the purpose of any description of proceedings.
- (4) The Master of the Rolls, or any Lord Justice of Appeal designated by him, may (subject to any directions under subsection (3)) determine the number of judges of which a court is to consist for the purpose of any particular proceedings.
- (4A) The Master of the Rolls may give directions as to what is to happen in any particular case where one or more members of a court which has partly heard proceedings are unable to continue.”

60 Calling into question of incidental decisions

For section 58 of the Supreme Court Act 1981 (exercise of incidental jurisdiction in civil division of Court of Appeal) substitute—

“58 Calling into question of incidental decisions in civil division

- (1) Rules of court may provide that decisions of the Court of Appeal which—
 - (a) are taken by a single judge or any officer or member of staff of that court in proceedings incidental to any cause or matter pending before the civil division of that court; and
 - (b) do not involve the determination of an appeal or of an application for permission to appeal,may be called into question in such manner as may be prescribed.
- (2) No appeal shall lie to the House of Lords from a decision which may be called into question pursuant to rules under subsection (1).”