



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 5

MISCELLANEOUS

Civil procedure

74 Appeals in small claims cases

- (1) Article 30 of the County Courts (Northern Ireland) Order 1980 (jurisdiction exercisable by district judges) is amended as follows.
- (2) In paragraph (4) (cases dealt with by arbitration)—
 - (a) after sub-paragraph (a) insert—

“(ab) any party may appeal on a question of law to a judge (not being a deputy judge) against any order, decision or determination;”
 - (b) in sub-paragraph (b), for the words from “by the High Court,” onwards substitute “by the Court of Appeal, state for the determination of the Court of Appeal any question of law arising out of an award made by the district judge in dealing with the claim unless an appeal on the question has been brought under sub-paragraph (ab);”, and
 - (c) in sub-paragraph (c), for “sub-paragraph (b)” substitute “sub-paragraphs (ab) and (b)”.
- (3) After paragraph (4) insert—

“(4A) An appeal under paragraph (4)(ab) shall be brought within the period of twenty-one days commencing with the date on which the order, decision or determination was made; and on such an appeal the judge—

 - (a) has the same powers as the district judge; but
 - (b) is not required to hold a hearing;

and his decision shall be final.”

Changes to legislation:

Justice (Northern Ireland) Act 2002, Section 74 is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

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. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)