

SCHEDULE 5

PART 52

APPEALS

Striking out^(g) appeal notices and setting aside or imposing conditions on permission to appeal

52.9.—(1) The appeal court may—

- (a) strike out the whole or part of an appeal notice;
- (b) set aside^(g) permission to appeal in whole or in part;
- (c) impose or vary conditions upon which an appeal may be brought.

(2) The court will only exercise its powers under paragraph (1) where there is a compelling reason for doing so.

(3) Where a party was present at the hearing at which permission was given he may not subsequently apply for an order that the court exercise its powers under sub-paragraphs (1)(b) or (1)(c).