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STATUTORY INSTRUMENTS

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**2008 No. 1863**

The Serious Crime Act 2007 (Appeals  
under Section 24) Order 2008

PART 4

Appeals to the Supreme Court: England and Wales

**Transitional provisions in relation to the Supreme Court**

**43.**—(1) In the application of Parts 2 to 4 before the commencement of paragraph 16(3)(b) of Schedule 9 to the Constitutional Reform Act 2005 (amendment of section 33(2) of the Criminal Appeal Act 1968<sup>(1)</sup>), references to the Supreme Court are to be read as references to the House of Lords.

(2) During the time that this Part is to be read as referring to the House of Lords in accordance with paragraph (1)—

- (a) an appeal shall not be heard and determined by the House of Lords unless there are present at least three of the persons designated Lords of Appeal by section 5 of the Appellate Jurisdiction Act 1876<sup>(2)</sup>; and
- (b) any order of the House of Lords which provides for the hearing of applications for leave to appeal by a committee constituted in accordance with section 5 of that Act may direct that the decision of that committee shall be taken on behalf of the House.

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<sup>(1)</sup> 1968 c. 19.

<sup>(2)</sup> 1876 c. 59. Section 5 has been prospectively repealed by sections 145 and 146 of, and paragraph 9 of Part 2 of Schedule 17 and Part 5 of Schedule 18 to, the Constitutional Reform Act 2005.