



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART I

PROCEDURE ETC. IN CIVIL COURTS

Appeals

7 Appeals to Court of Appeal

- (1) Section 18 of the Supreme Court Act 1981 (restrictions on appeals to Court of Appeal) shall be amended as follows.
- (2) In subsection (1), paragraphs (e), (f) and (h) (which deal with cases in which leave is required for an appeal) shall be omitted.
- (3) After subsection (1) there shall be inserted the following subsections—
 - “(1A) In any such class of case as may be prescribed by Rules of the Supreme Court, an appeal shall lie to the Court of Appeal only with the leave of the Court of Appeal or such court or tribunal as may be specified by the rules in relation to that class.
 - (1B) Any enactment which authorises leave to appeal to the Court of Appeal being given by a single judge, or by a court consisting of two judges, shall have effect subject to any provision which—
 - (a) is made by Rules of the Supreme Court; and
 - (b) in such classes of case as may be prescribed by the rules, requires leave to be given by such greater number of judges (not exceeding three) as may be so specified.”
- (4) In section 54(4) of the Act of 1981 (cases in which court is duly constituted when consisting of two judges), the following paragraph shall be inserted after paragraph (a)—
 - “(aa) hearing and determining any application for leave to appeal;”.

8 Powers of Court of Appeal to award damages

- (1) In this section “case” means any case where the Court of Appeal has power to order a new trial on the ground that damages awarded by a jury are excessive or inadequate.
- (2) Rules of court may provide for the Court of Appeal, in such classes of case as may be specified in the rules, to have power, in place of ordering a new trial, to substitute for the sum awarded by the jury such sum as appears to the court to be proper.
- (3) This section is not to be read as prejudicing in any way any other power to make rules of court.