



Administration of Justice Act 1960

1960 CHAPTER 65 8 and 9 Eliz 2

Appeal to House of Lords in Criminal Cases

[^{F1}1] **Right of appeal.**

- (1) Subject to the provisions of this section, an appeal shall lie to the [^{F2}Supreme Court], at the instance of the defendant or the prosecutor,—
 - (a) from any decision of [^{F3}the High Court] in a criminal cause or matter;
 - ^{F4}(b)
- (2) No appeal shall lie under this section except with the leave of the court below or of [^{F5}the Supreme Court]; and such leave shall not be granted unless it is certified by the court below that a point of law of general public importance is involved in the decision and it appears to that court or to [^{F5}the Supreme Court], as the case may be, that the point is one which ought to be considered by [^{F5}the Supreme Court].
- ^{F6}(3)
- (4) For the purpose of disposing of an appeal under this section the [^{F7}Supreme Court] may exercise any powers of the court below or may remit the case to that court.
- (5) In this Act, unless the context otherwise requires, “leave to appeal” means leave to appeal to the [^{F7}Supreme Court] under this section.]

Textual Amendments

- F1** Ss. 1–5 repealed (N.I.) (with saving) by [Judicature \(Northern Ireland\) Act 1978 \(c. 23\)](#), [Sch. 6 para. 13](#)
- F2** Words in s. 1(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 9 para. 13\(2\)\(a\)](#); [S.I. 2009/1604](#), art. 2(d)
- F3** Words in s. 1(1)(a) substituted (27.9.1999) by 1999 c. 22, [ss. 63\(1\)](#), 108(3) (with s. 107 and [Sch. 14 para. 7\(2\)](#))
- F4** S. 1(1)(b) repealed by (E.W.) [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#) and (N.I.) [Criminal Appeal \(Northern Ireland\) Act 1968 \(c. 21\)](#), [Sch. 5](#)

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1960, Section 1. (See end of Document for details)

- F5** Words in s. 1(2) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 13(2)(b)**; S.I. 2009/1604, art. 2(d)
- F6** S. 1(3) repealed (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), Sch. 9 para. 13(2)(c), **Sch. 18 Pt. 5**; S.I. 2009/1604, art. 2(d)(f)
- F7** Words in s. 1(4)(5) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 9 para. 13(2)(d)**; S.I. 2009/1604, art. 2(d)

Modifications etc. (not altering text)

- C1** S. 1 applied (with modifications) (15.3.1996) by S.I. 1996/716, **art. 7(5)**
 S. 1 applied (17.5.1996) by S.I. 1996/1296, **art. 7(5)**
 S. 1 applied (with modifications) (1.9.2001) by 2001 c. 17, **s. 9(3)** (with ss. 16(5) , 78); S.I. 2001/2161, **art. 2** (subject to **art. 3**)
- C2** S. 1 applied (8.3.2018) by The United Nations (International Residual Mechanism for Criminal Tribunals) Order 2018 (S.I. 2018/187), arts. 1(1), 7, 8 (with art. 3)
- C3** S. 1(1) excluded (E.W.) (18.12.2003) by Criminal Justice Act 2003 (c. 44), **ss. 274(4)**, 336(2)
- C4** S. 1(1) excluded (E.W.) (18.12.2003) by Criminal Justice Act 2003 (c. 44), s. 336(2), **Sch. 22 para. 14(2)**

Changes to legislation:

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