



Administration of Justice Act 1960

1960 CHAPTER 65 8 and 9 Eliz 2

[^{F1} Contempt of court, habeas corpus and certiorari]

[^{F1}15 Appeal in habeas corpus proceedings.

- (1) Subject to the provisions of this section, an appeal shall lie, in any proceedings upon application for habeas corpus, whether civil or criminal, against an order for the release of the person restrained as well as against the refusal of such an order.

^{F2}(2)

- (3) In relation to a decision of [^{F3}the High Court] on a criminal application for habeas corpus, section one of this Act shall have effect as if so much of subsection (2) as restricts the grant of leave to appeal were omitted.
- (4) Except as provided by section five of this Act in the case of an appeal against an order of [^{F3}the High Court] on a criminal application, an appeal brought by virtue of this section shall not affect the right of the person restrained to be discharged in pursuance of the order under appeal and (unless an order under subsection (1) of that section is in force at the determination of the appeal) to remain at large regardless of the decision on appeal.]

Textual Amendments

- F1** Ss. 6 , 9 , 13 , 15 , 17(1)(3)(4) , 18(3) repealed (N.I.) with saving by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#) , [Sch. 6 para. 13](#) , [Sch. 7 Pt. I](#)
- F2** S. 15(2) repealed (27.9.1999) by [1999 c. 22](#) , [ss. 65\(1\)\(b\)](#) , [106](#) , [108\(3\)](#) , [Sch. 15 Pt. III](#) (with [s. 107](#) and [S Ch. 14 paras. 7\(2\)](#) , [36\(9\)](#)).
- F3** Words in s. 15(3) and (4) substituted (27.9.1999) by [1999 c. 22](#) , [ss. 65\(2\)](#) , [108\(3\)](#) (with [s. 107](#) and [Sch. 14 para. 7\(2\)](#)).

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1960, Section 15.