STATUTORY INSTRUMENTS

2006 No. 1689

The Civil Procedure (Amendment) Rules 2006

Amendment to the Civil Procedure Rules 1998

7. In Part 52—

(1) in rule 52.3—

  (a) at the beginning of paragraph (4), for "Where" substitute "Subject to paragraph (4A), where"; and

  (b) after paragraph (4), insert—

   "(4A) Where the Court of Appeal refuses permission to appeal without a hearing, it may, if it considers that the application is totally without merit, make an order that the person seeking permission may not request the decision to be reconsidered at a hearing. The court may not make such an order in family proceedings.

     ("Family proceedings" is defined by section 32 of the Matrimonial and Family Proceedings Act 1984)

   (4B) °Rule 3.3(5) will not apply to an order that the person seeking permission may not request the decision to be reconsidered at a hearing made under paragraph (4A)."; and

(2) in rule 52.7, sub-section (b), for "Immigration Appeal Tribunal" substitute "Asylum and Immigration Tribunal".