



Access to Justice Act 1999

1999 CHAPTER 22

PART IV

APPEALS, COURTS, JUDGES AND COURT PROCEEDINGS

Civil division of Court of Appeal

59 Composition.

In section 54 of the [^{F1}Senior Courts Act 1981](composition of court of civil division of Court of Appeal), for subsections (2) to (4) (number of judges) substitute—

- “(2) Subject as follows, a court shall be duly constituted for the purpose of exercising any of its jurisdiction if it consists of one or more judges.
- (3) The Master of the Rolls may, with the concurrence of the Lord Chancellor, give (or vary or revoke) directions about the minimum number of judges of which a court must consist if it is to be duly constituted for the purpose of any description of proceedings.
- (4) The Master of the Rolls, or any Lord Justice of Appeal designated by him, may (subject to any directions under subsection (3)) determine the number of judges of which a court is to consist for the purpose of any particular proceedings.
- (4A) The Master of the Rolls may give directions as to what is to happen in any particular case where one or more members of a court which has partly heard proceedings are unable to continue.”

Textual Amendments

- F1** S. 59: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2](#)

Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Cross Heading: Civil division of Court of Appeal. (See end of Document for details)

60 Calling into question of incidental decisions.

For section 58 of the [F2Senior Courts Act 1981](exercise of incidental jurisdiction in civil division of Court of Appeal) substitute—

“58 Calling into question of incidental decisions in civil division.

- (1) Rules of court may provide that decisions of the Court of Appeal which—
 - (a) are taken by a single judge or any officer or member of staff of that court in proceedings incidental to any cause or matter pending before the civil division of that court; and
 - (b) do not involve the determination of an appeal or of an application for permission to appeal,may be called into question in such manner as may be prescribed.
- (2) No appeal shall lie to the House of Lords from a decision which may be called into question pursuant to rules under subsection (1).”

Textual Amendments

- F2** S. 60: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Access to Justice Act 1999, Cross
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