



Access to Justice Act 1999

1999 CHAPTER 22

PART IV

APPEALS, COURTS, JUDGES AND COURT PROCEEDINGS

High Court

61 Cases stated by Crown Court.

For section 28A of the [^{F1}Senior Courts Act 1981](proceedings on case stated by magistrates' court) substitute—

“28A Proceedings on case stated by magistrates' court or Crown Court.

- (1) This section applies where a case is stated for the opinion of the High Court—
 - (a) by a magistrates' court under section 111 of the ^{M1}Magistrates' Courts Act 1980; or
 - (b) by the Crown Court under section 28(1) of this Act.
- (2) The High Court may, if it thinks fit, cause the case to be sent back for amendment and, where it does so, the case shall be amended accordingly.
- (3) The High Court shall hear and determine the question arising on the case (or the case as amended) and shall—
 - (a) reverse, affirm or amend the determination in respect of which the case has been stated; or
 - (b) remit the matter to the magistrates' court, or the Crown Court, with the opinion of the High Court,and may make such other order in relation to the matter (including as to costs) as it thinks fit.

Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Section 61. (See end of Document for details)

- (4) Except as provided by the ^{M2}Administration of Justice Act 1960 (right of appeal to House of Lords in criminal cases), a decision of the High Court under this section is final.”

Textual Amendments

- F1** S. 61: 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](#)

Marginal Citations

- M1** 1980 c.43.
M2 1960 c.65.

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