



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 4

JUDICIAL REVIEW

Judicial review in the High Court and Upper Tribunal

PROSPECTIVE

85 Provision of information about financial resources

- (1) In section 31(3) of the Senior Courts Act 1981 (applications for leave to apply for judicial review)—
- (a) after second “unless” insert “—
(a)”,
and
 - (b) at the end insert “, and
(b) the applicant has provided the court with any information about the financing of the application that is specified in rules of court for the purposes of this paragraph.”
- (2) In that section, after subsection (3) insert—
- “(3A) The information that may be specified for the purposes of subsection (3)(b) includes—
- (a) information about the source, nature and extent of financial resources available, or likely to be available, to the applicant to meet liabilities arising in connection with the application, and
 - (b) if the applicant is a body corporate that is unable to demonstrate that it is likely to have financial resources available to meet such liabilities, information about its members and about their ability to provide financial support for the purposes of the application.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 85. (See end of Document for details)

(3B) Rules of court under subsection (3)(b) that specify information identifying those who are, or are likely to be, sources of financial support must provide that only a person whose financial support (whether direct or indirect) exceeds, or is likely to exceed, a level set out in the rules has to be identified.

This subsection does not apply to rules that specify information described in subsection (3A)(b).”

(3) In section 16(3) of the Tribunals, Courts and Enforcement Act 2007 (applications for permission or leave to apply for relief under section 15(1): Upper Tribunal's “judicial review” jurisdiction)—

(a) after “unless” insert “—

(a)”,

and

(b) at the end insert “, and

(b) in cases arising under the law of England and Wales, the applicant has provided the tribunal with any information about the financing of the application that is specified in Tribunal Procedure Rules for the purposes of this paragraph.”

(4) In that section, after subsection (3) insert—

“(3A) The information that may be specified for the purposes of subsection (3)(b) includes—

(a) information about the source, nature and extent of financial resources available, or likely to be available, to the applicant to meet liabilities arising in connection with the application, and

(b) if the applicant is a body corporate that is unable to demonstrate that it is likely to have financial resources available to meet such liabilities, information about its members and about their ability to provide financial support for the purposes of the application.

(3B) Tribunal Procedure Rules under subsection (3)(b) that specify information identifying those who are, or are likely to be, sources of financial support must provide that only a person whose financial support (whether direct or indirect) exceeds, or is likely to exceed, a level set out in the rules has to be identified.

This subsection does not apply to rules that specify information described in subsection (3A)(b).”

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 85.