

1982 No. 543

SUPREME COURT OF ENGLAND AND WALES

COMPOSITION OF COURT OF APPEAL

The Court of Appeal (Civil Division) Order 1982

<i>Made</i>	- - -	<i>2nd April 1982</i>
<i>Laid before Parliament</i>		<i>22nd April 1982</i>
<i>Coming into Operation</i>		<i>8th June 1982</i>

The Lord Chancellor, in exercise of the power conferred on him by section 54(4)(e) of the Supreme Court Act 1981(a) and with the concurrence of the Master of the Rolls, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Court of Appeal (Civil Division) Order 1982 and shall come into operation on 8th June 1982.

Composition of court

2. A court of the civil division of the Court of Appeal shall, if it consists of two judges, be duly constituted for the purposes of hearing and determining—

- (a) an appeal from a determination of a county court;
- (b) an appeal from a judgment or order of the High Court, where the claim (or counter-claim, if larger) when made was for an amount not exceeding the limit of the jurisdiction of a county court under one or other of the following provisions of the County Courts Act 1959(b):—
 - section 39 (contract and tort),
 - section 40 (money recoverable by statute),
 - section 52 (equity),
 - section 62 (probate),
 - first schedule (miscellaneous jurisdiction);
- (c) an appeal in proceedings for summary judgment under Order 14 or Order 86 of the Rules of the Supreme Court 1965(c);
- (d) an appeal from a master or district registrar under Order 58, rule 2, 3 or 4 of the Rules of the Supreme Court 1965.

(a) 1981 c.54.

(b) 1959 c.22.

(c) S.I. 1965/1776.

Saving

3. Article 2 shall not apply to an appeal which falls within section 54(4)(a), (b), (c) or (d) of the Supreme Court Act 1981.

Dated 1st April 1982.

Hailsham of St. Marylebone, C.

I concur,

Dated 2nd April 1982.

Denning, M.R.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prescribes those appeals which may be heard by two judges of the civil division of the Court of Appeal in addition to the appeals set out in section 54(4)(a) to (d) inclusive of the Supreme Court Act 1981. The appeals prescribed by the Order include all county court appeals and, in respect of appeals from the High Court, appeals in proceedings which could have been brought in the county court, appeals in proceedings for summary judgment and appeals against orders made by masters and district registrars where the appeal lies direct to the Court of Appeal and not to a High Court judge.

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