

## APPLYING FOR PERMISSION TO APPEAL TO THE COURT OF APPEAL (CIVIL DIVISION)

If you wish to apply for permission to appeal to the Court of Appeal, Civil Division, you should read the following documents and then complete an Appellant's Notice (Form N161):

Routes of Appeal (Form 201)

How to Appeal to the Court of Appeal (Form 202)

How to Complete an Appellant's Notice (Form 203)

How to Prepare an Appeal Bundle for the Court of Appeal (Form 204)

You must file the Appellant's Notice and all other required documents with the Civil Appeals Office at the address shown below within the time limits specified.

In considering whether to seek permission to appeal, and in completing the Appellant's Notice, please remember:-

- **you must ensure that your appeal lies to the Court of Appeal (Civil Division), rather than to another court. Please refer to Form 201 for guidance.**
- when submitting the Appellant's Notice, **you must also provide a copy of the order** you are seeking to appeal. Without this the Civil Appeals Office may not be able to accept your application/appeal.
- depending upon the type of order you seek to appeal against, you may have only 7 or 21 days [or 6 weeks] from the date of the decision in which to file your application/appeal, unless the judge in the lower court has allowed a longer period, or the Court of Appeal (Civil Division) extends time. If you are submitting your application/appeal beyond the time limit you must complete section 10 of the Appellant's Notice applying for an extension of time. You must explain the delay and sign the statement of truth.
- you must certify which track this matter has been allocated to by the lower court in section 5 of the Appellant's Notice if you are seeking to appeal from a court decision (see Form 201 paras. 4, 10 and 12). If you are unsure of this, the court which made the order you are appealing can provide more information. If the order you are seeking to appeal was made by a tribunal it is unlikely to have been allocated to a track. **If the matter has been allocated to a track in a county court the Civil Appeals Office will, in addition, require a copy of the order allocating the matter to the appropriate track.**

- the required bundle of documents should be lodged with the Appellant's Notice. You must supply a sealed copy of the Appellant's Notice in your bundle in addition to any other copies you provide.
- the Appellant's Notice must be fully completed and should include a skeleton argument setting out the main points you wish to argue (see Form 203, section 8). This will help the Court understand your case in advance of the hearing.
- **the Appellant's Notice must be submitted in triplicate.** Please ensure you retain copies for yourself.
- the Court will only grant permission to appeal if it considers that the appeal would have a real prospect of success, or if there is some other compelling reason why the appeal should be heard.
- **in relation to a second appeal (see Form 201, para. 19) the Court will, in addition, only grant permission if the appeal would raise an important point of principle or practice.**
- if you are granted permission to appeal, but your appeal fails, you may be ordered to pay the Respondent's costs. You will be at similar risk if the Court directs that any application is to be heard on notice to the Respondent.
- **the acceptance by the Civil Appeals Office of an Appellant's Notice does not mean that the Court of Appeal accepts jurisdiction in the case.**
- the Civil Appeals Office staff are unable to offer any assistance in the preparation of your case except that set out in the Forms mentioned above, but further assistance may be available from the Citizen's Advice Bureau, Royal Courts of Justice, Strand, London WC2A 2LL or from other legal agencies.
- **the fee is £200 for an application, eg for permission to appeal, or £400 for an appeal (see Form 200). Remember: there are only limited circumstances in which permission will be granted for a second appeal (see Form 201, para. 19). Consider before you pay the court fee whether you will be able to satisfy this strict test for the grant of permission.** If you are returning your application/appeal by post the fee must be paid in the form of cheque or postal orders made payable to HMCS which must be endorsed with your name and address and title of the case on the back and be crossed "Account Payee".

CIVIL APPEALS OFFICE REGISTRY

Room E307, Royal Courts of Justice, Strand, London WC2A 2LL

Office Hours : Monday to Friday, 10.00am to 4.30pm (10.00am to 4.00pm for payment of fees)

<http://www.civilappeals.gov.uk>