

PRACTICE DIRECTION – RSC ORDER 58 – APPEALS FROM MASTERS ETC.

THIS PRACTICE DIRECTION SUPPLEMENTS RSC ORDER 58, RULE 2.

- 1.1 RSC Order 58, rule 2 (Schedule 1 to the Civil Procedure Rules) provides for an appeal from certain decisions of Masters or District Judges (High Court) to the Court of Appeal. This provision is not intended to alter the route of appeal from a decision of a Master or District Judge.
- 1.2 Where, before 26 April 1999, an appeal would have lain from a decision of a Master or District Judge to a judge under RSC Order 58, rule 1, it shall continue to do so under the Civil Procedure Rules.
- 1.3 RSC Order 58, rule 2(1)(a) provides that an appeal lies to the Court of Appeal from a decision of a Master or District Judge made “at trial... on the hearing or determination of any cause, matter, question or issue tried before him”. This provision only applies where the parties have given their consent for the Master or District Judge to try a case which has been allocated to the multi-track under Part 26. (see paragraph 4.1 of the Practice Direction on Allocation of Cases to Levels of Judiciary – Part 2B).