

Section 4

Details of the order you are seeking to appeal

If you are appealing only part of an order or tribunal decision, you must write out that part (or those parts) of the order in the box provided.

You should give the full title and name of the judge, e.g. 'His Honour Judge Jones' or 'District Judge Smith', and the date of the order or decision being appealed.

Section 5

Permission to file a respondent's notice

You will usually need permission to file a respondent's notice to appeal the decision of a judge of the High Court or a county court (appealing includes asking for the judge's order to be varied).

Permission will only be given where the court considers that your appeal (or application to vary) has a real prospect of success. Where your appeal is against a case management decision, the court will also consider:-

- ◆ whether the issue is significant enough to justify the costs of an appeal;
- ◆ the overall effect on the case management timetable, e.g. whether the loss of the trial date is more significant than the procedural point you wish to appeal; and
- ◆ whether it would be more convenient to deal with your point at the trial.

If you are appealing the decision of a tribunal, you should check with that tribunal whether you need to ask for permission to appeal and, if so, whether you need to ask for that permission from the tribunal or from the appeal court.