

Section 11

Supporting documents

Do not delay filing your appellant's notice at the appeal court. If you have not been able to obtain any of the documents listed below within the time allowed, complete the notice as best you can and ensure the notice is filed on time. Set out the reasons why you have been unable to obtain any of the information or documents and give the date when you expect them to be available.

Whenever possible, the following documents **must** be filed with your appellant's notice:-

If your appeal relates to a claim in the small claims track, you **must** file the documents marked with an asterisk * below. You **may** file any of the other documents listed, if you wish, **except** the record of reasons for the judgment of the lower court. The appeal court will decide if a record of reasons is necessary. You will be told if one is needed.

- *1) a sealed copy of the order you are appealing against;
- *2) any order giving or refusing permission to appeal, together with a copy of the form giving the judge's reasons for giving or refusing permission (Form N460);
- 3) any witness statements or affidavits in support of any application included in Sections 6 or 10 of your notice or in a separate application notice (Form N244); and
- 4) your bundle of documents in support which should include copies of:
 - your appellant's notice and any skeleton argument (if separate);
 - a sealed copy of the order you are appealing;
 - the documents at 2 and 3 above (if appropriate);
 - any other affidavit or witness statement filed in support of the appeal;
 - a suitable record of the reasons for the judgment of the lower court (*see note on page 10*);