

The Supreme Court of the United Kingdom

Practice Direction 7

Applications, Documents, Forms and Orders

Applications

7.1.1 Applications are governed by rule 30. An application should be made as soon as it becomes apparent that an application is necessary or expedient.

7.1.2 An application must be made in Form 2 and should be served on all the other parties before it is filed: rule 30(1)(3).

7.1.3 An application must state what order the applicant is seeking and, briefly, why the applicant is seeking the order: see rule 30(2). Certain applications (e.g. for security) should be supported by written evidence. Although there may be no requirement to provide evidence in support, it should be borne in mind that, as a practical matter, the Court will often need to be satisfied by evidence of the facts that are relied on in support of or for opposing the application. Evidence must be filed as well as served on the respondents.

7.1.4 A party “*who wishes to oppose an application must, within 7 days after service, file notice of objection*” in Form 3 and “*must (before filing) serve a copy on the applicant and any other parties*”: rule 30(4).

7.1.5 The parties to an application for a consent order must ensure that they provide any material needed to satisfy the Court that it is appropriate to make the order.

7.1.6 Applications will be dealt with without a hearing wherever possible. Unless the Registrar directs otherwise, opposed procedural applications are referred to a Panel of Justices and may be decided with or without an oral hearing.

7.1.7 **The original and 3 copies** of the application must be filed, with the prescribed fee. The original application must bear a certificate of service on the other parties and must clearly indicate whether the other parties consent or refuse to consent to the application. **The original and 3 copies** of the notice of objection must be filed, with the prescribed fee. The original notice must bear a certificate of service on the other parties.

7.1.8 If the Panel of Justices orders an oral hearing, the parties may seek permission to adduce affidavits, witness statements and such other documents as they may wish. **Eight copies** are required. Copies of such documents must be served on the other parties before the oral hearing. Authorities are not normally cited before the Panel.

Documents

Preparation

Number of documents required

7.2.3 The following table shows the numbers of documents usually required for the hearing of an appeal. The numbers shown are the minimum prescribed by the Rules. Actual requirements must be subject to agreement and depend on the number of parties, counsel and solicitors concerned, and on the special circumstances of each appeal. Copies for the use of the party originating the documents are not included in the numbers indicated.

The appellants must provide:

Document	For Registry	For other side
Notice of appeal	Original and 3 copies on filing	One on service
Statement of facts and issues	Original and 7 copies	As arranged
Appendix Part 1	8	One in advance otherwise as arranged
Appendix Part 2 and any subsequent Parts	10	One in advance otherwise as arranged
Case	Original and 2 ¹ copies no later than six ² weeks before the hearing; 10 copies two weeks before the hearing ³	As arranged on exchange
Core volumes	10 no later than two weeks before the hearing	As arranged
Authorities volumes	10 no later than two weeks before the hearing	As arranged

¹ Amended Sept 2012

² Amended Sept 2012

³ Amended Sept 2012

The respondents (and any interveners) must provide:

Document	For Registry	For other side
Case	Original and 2 ⁴ copies no later than four ⁵ weeks before the hearing; 10 copies two weeks before the hearing ⁶ to Appellant for filing (see PD 6) ⁷	As arranged on exchange; 10 for core volumes
Respondents' additional documents (if any)	10	As arranged

Form of documents

7.2.4 Reference should be made to the following Practice Directions for the form of documents –

- For Statement of facts and issues: see Practice Direction 5 paragraph 5.1.3
- For Appendix: see Practice Direction 5 paragraph 5.1.4
- For Cases: see Practice Direction 6 paragraph 6.3
- For Core volumes: see Practice Direction 6 paragraph 6.4
- For Volumes of authorities: see Practice Direction 6 paragraph 6.5.

Disposal of documents

7.2.5 All forms and supporting documents which are filed become the property of the Court. No documents submitted in connection with an application for permission to appeal can be returned. Certain documents submitted in connection with an appeal may be returned, on application to the Registrar within 14 days of judgment in the appeal. Original documents are retained.

7.2.6 Documents filed for the use of the Court may be inspected by persons who are not a party to the appeal on application under rule 39. Such persons must comply with any anonymity orders, data protection requirements and/or conditions imposed by the Registrar under rule 39.

Forms

7.3.1 Rule 4 provides for the forms which are to be used in the Supreme Court.

7.3.2 The following forms are set out in Annex 1 to this Practice Direction.

Form 1 Application for permission/notice of appeal

⁴ Amended Sept 2012

⁵ Amended Sept 2012

⁶ Amended Sept 2012

⁷ Amended Jan 2013

- Form 2 Application form
- Form 3 Notice of objection/acknowledgement by respondent

Orders

Draft order

7.4.1 Before the Court hands down its judgment, the Registrar will normally send a draft order to all parties who filed a case. The drafts must be returned to the Registrar no later than 2 days after receipt (unless otherwise directed), either approved or with suggested amendments. If amendments are proposed, they must be submitted to the solicitors for the other parties, who should indicate their approval or disagreement both to the solicitors submitting the proposals and to the Registrar.

Final order

7.4.2 A copy of the sealed final order is sent to the solicitors for all parties.

Annex 1

Form 1	Application for permission/notice of appeal
Form 2	Application form
Form 3	Notice of objection/acknowledgement by respondent

Annex 2

Fees payable in the Supreme Court

The fees set out in column (2) of the table below are payable in the Supreme Court in respect of the items described in column (1) of the table.

No fee in column (2) is payable in respect of criminal proceedings, other than the fee payable on submitting a claim for costs and for copying documents⁸.

In relation to its devolution jurisdiction the fees set out in column (3) of the table are payable in respect of the items described in column (1) of the table.

(1) Number and description of fee	(2) Amount of fee	(3) Amount of fee
1 Application for permission to appeal		
1.1 On filing an application for permission to appeal. ⁹	£1000	£400
1.2 On filing notice of objection to an application for permission to appeal.	£160	£160
2 Appeals etc		
2.1 On filing notice under rule 18(1)(c) of the 2009 Rules of an intention to proceed with an appeal.	£800	£400
2.2 On filing a notice of appeal.	£1600	£400
2.3 On filing a reference under the Supreme Court's devolution jurisdiction. No fee is payable where the reference is made by a court.	n/a	£200
2.4 On filing notice under rule 21(1) of the 2009 Rules (acknowledgement by respondent).	£320	£160
2.5 On filing a statement of relevant facts and issues and an appendix of essential documents.	£4820	£800
3 Procedural applications		
3.1 On filing an application for a decision of the Registrar to be reviewed.	£1500	£200
3.2 On filing an application for permission to intervene in an appeal.	£800	£200
3.3 On filing any other procedural application.	£350	£200
3.4 On filing notice of objection to a procedural application.	£150	£150
4 Costs		
4.1 On submitting a claim for costs.	2.5% of the sum claimed	2.5% of the sum claimed
4.2 On certification by the Registrar under rule 52 of the 2009 Rules of the amount of assessed costs, or on receipt	2.5% of the sum allowed	2.5% of the sum allowed

⁸ Amended Jan 2012

⁹ Amended Jan 2012

of an order showing the amount.

5 Copying

5.1 On a request for a copy of a document (other than where fee 5.2 or 5.3 applies)—

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| (a) for ten pages or less; | £5 | £5 |
| (b) for each subsequent page. | 50p | 50p |

5.2 On a request for a copy of a document to be provided on a computer disk or in other electronic form, for each such copy.	£5	£5
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5.3 On a request for a certified copy of a document.	£20	£20
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