

**COURT OF SESSION**

**PRACTICE NOTE**

**No. 4 of 2008**

**Applications for Judicial Review: transfers to the Upper Tribunal**

1. This practice note has effect from 3rd November 2008.
2. Where an application to the supervisory jurisdiction of the Court is transferred to the Upper Tribunal under section 20(1) of the Tribunals, Courts and Enforcement Act 2007, the Deputy Principal Clerk of Session will, within 4 days after the interlocutor transferring the application has been pronounced, transmit the process to the Upper Tribunal.
3. When transmitting a process as referred to in paragraph 2, the Deputy Principal Clerk of Session will–
  - (a) give written intimation of the transmission to the parties; and
  - (b) certify on the interlocutor sheet that such written intimation has been given.
4. Failure by the Deputy Principal Clerk of Session to follow the procedure described above does not affect the validity of a transfer of an application to the Upper Tribunal.

Lord President

Edinburgh  
24th October 2008