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STATUTORY INSTRUMENTS

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**2010 No. 44**

**The Tribunal Procedure (Amendment No. 2) Rules 2010**

**Amendments to the Tribunal Procedure (Upper Tribunal) Rules 2008**

**4.** After rule 5(3) (case management powers) insert—

“(4) The Upper Tribunal may direct that a fast-track case cease to be treated as a fast-track case if—

- (a) all the parties consent;
- (b) the Upper Tribunal is satisfied that there are exceptional circumstances which suggest that the appeal or application could not be justly determined if it were treated as a fast-track case; or
- (c) the Secretary of State for the Home Department has failed to comply with a provision of these Rules or a direction of the First-tier Tribunal or the Upper Tribunal, and the Upper Tribunal is satisfied that the other party would be prejudiced if the appeal or application were treated as a fast-track case.”.