
DRAFT STATUTORY INSTRUMENTS

2005 No.

**The Community Legal Service (Asylum and
Immigration Appeals) Regulations 2005**

Criteria for making orders under section 103D(3)

6.—(1) The Tribunal must exercise the power to make an order under section 103D(3) in accordance with this regulation.

(2) If the Tribunal allows an appeal on reconsideration, it must make an order under section 103D(3).

(3) If the Tribunal does not allow an appeal, it must not make an order under section 103D(3) unless it is satisfied that, at the time when the appellant made the section 103A application, there was a significant prospect that the appeal would be allowed upon reconsideration.

(4) If, where paragraph (3) applies, the Tribunal decides not to make an order under section 103D(3), it must give reasons for its decision.