

Status: Point in time view as at 14/02/2000.

Changes to legislation: Immigration and Asylum Act 1999, SCHEDULE 3 is up to date with all changes known to be in force on or before 22 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 57(3).

ADJUDICATORS

Modifications etc. (not altering text)

C1 Sch. 3 modified (14.2.2000) by S.I. 2000/168, art. 3

Deputy Chief Adjudicator and Regional Adjudicators

- 1 (1) The Lord Chancellor may appoint one of the adjudicators as Deputy Chief Adjudicator.
- (2) The Lord Chancellor may appoint as Regional Adjudicators such number of the adjudicators as he may determine.
- (3) A person appointed under sub-paragraph (1) or (2) is to have such functions as the Chief Adjudicator may assign to him.
- (4) If the Chief Adjudicator is temporarily absent or otherwise unable to act, the Deputy Chief Adjudicator may act on his behalf.

Qualification for appointment

- 2 A person is qualified for appointment as an adjudicator only if—
- (a) he has a 7 year general qualification, within the meaning of section 71 of the ^{M1}Courts and Legal Services Act 1990;
- (b) he is an advocate or solicitor in Scotland of at least 7 years' standing;
- (c) he is a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least 7 years' standing; or
- (d) he has such legal and other experience as appears to the Lord Chancellor to make him suited for appointment as an adjudicator.

Marginal Citations

M1 1990 c. 41.

Term of office

- 3 (1) Each adjudicator—
- (a) is to hold and vacate his office in accordance with the terms of his appointment;
- (b) is, on ceasing to hold office, eligible for re-appointment;

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- (c) may resign his office at any time by giving written notice to the Lord Chancellor;
 - (d) must vacate his office on the day on which he reaches the age of 70.
- (2) But sub-paragraph (1)(d) is subject to subsections (4) to (6) of section 26 of the ^{M2}Judicial Pensions and Retirement Act 1993 (power to authorise continuance in office up to the age of 75).

Marginal Citations

M2 1993 c. 8.

Remuneration

- 4 The Lord Chancellor must pay to the adjudicators such remuneration and allowances as he may determine.

Compensation

- 5 If a person ceases to be an adjudicator and it appears to the Lord Chancellor that there are special circumstances which make it right that he should receive compensation, the Lord Chancellor may pay him a sum of such amount as the Lord Chancellor may determine.

Proceedings

- 6 (1) The adjudicators must sit at such times and at such places as the Lord Chancellor may direct.
- (2) The Chief Adjudicator—
- (a) must allocate duties among the adjudicators; and
 - (b) is to have such other functions as may be conferred on him by the Lord Chancellor.
- (3) The Chief Adjudicator may direct that, in a specified case or category of case, an appeal to an adjudicator is to be heard by such number of adjudicators as may be specified.
- (4) “Specified” means specified in the direction.

Staff

- 7 (1) The Lord Chancellor may appoint such staff for the adjudicators as he may determine.
- (2) The remuneration of the adjudicators’ staff is to be defrayed by the Lord Chancellor.
- (3) Such expenses of the adjudicators as the Lord Chancellor may determine are to be defrayed by the Lord Chancellor.

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