



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 5

IMMIGRATION AND ASYLUM APPEALS

Procedure

[^{F1}103C Appeal from Tribunal instead of reconsideration

- (1) On an application under section 103A in respect of an appeal the appropriate court, if it thinks the appeal raises a question of law of such importance that it should be decided by the appropriate appellate court, may refer the appeal to that court.
- (2) On a reference under subsection (1) the appropriate appellate court may—
 - (a) affirm the Tribunal's decision;
 - (b) make any decision which the Tribunal could have made;
 - (c) remit the case to the Tribunal;
 - (d) affirm a direction under section 87;
 - (e) vary a direction under section 87;
 - (f) give a direction which the Tribunal could have given under section 87;
 - (g) restore the application under section 103A to the appropriate court.
- (3) In this section—
 - “the appropriate court” has the same meaning as in section 103A, and
 - “the appropriate appellate court” has the same meaning as in section 103B.
- (4) A reference under subsection (1) to the Court of Session shall be to the Inner House.]

Status: Point in time view as at 31/08/2006. This version of this provision has been superseded.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Section 103C is up to date with all changes known to be in force on or before 06 August 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)

Textual Amendments

- F1** S. 103C inserted (4.4.2005) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004](#) (c. 19), **ss. 26(6)**, 48(1)-(3) (with transitional provisions in Sch. 2); S.I. 2005/565, **art. 2** (with savings in arts. 3-9)

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