



Nationality, Immigration and Asylum Act 2002

2002 CHAPTER 41

PART 5 **U.K.**

IMMIGRATION AND ASYLUM APPEALS

Procedure

106 Rules **U.K.**

^{F1}(1)

^{F2}(1A)

^{F3}(2)

- [^{F4}(t) may make provision about the number of members exercising the Tribunal's jurisdiction;
- (u) may make provision about the allocation of proceedings among members of the Tribunal (which may include provision for transfer);
- (v) may make provision about reconsideration of a decision pursuant to an order under section 103A(1) (which may, in particular, include provision about the action that may be taken on reconsideration and about the matters and evidence to which the Tribunal may have regard);
- (w) shall provide that a party to an appeal is to be treated as having received notice of the Tribunal's decision, unless the contrary is shown, at such time as may be specified in, or determined in accordance with, the rules;
- (x) may make provision about proceedings under paragraph 30 of Schedule 2 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (transitional filter of applications for reconsideration from High Court to Tribunal) (and may, in particular, make provision of a kind that may be made by rules of court under section 103A(5)(b));
- (y) may make provision about the form and content of decisions of the Tribunal.]

Status: Point in time view as at 15/02/2010. This version of this provision has been superseded.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Section 106 is up to date with all changes known to be in force on or before 10 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)

- [^{F5}(3) In the case of an appeal under section 82, 83 or 83A or by virtue of section 109, Tribunal Procedure Rules may enable the Tribunal to certify that the appeal had no merit (and shall make provision for the consequences of the issue of a certificate).]
- (4) A person commits an offence if without reasonable excuse he fails to comply with a requirement imposed in accordance with [^{F6}Tribunal Procedure Rules in connection with proceedings under section 82, 83 or 83A or by virtue of section 109] to attend before ^{F7} . . . the Tribunal—
- (a) to give evidence, or
 - (b) to produce a document.
- (5) A person who is guilty of an offence under subsection (4) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Textual Amendments

- F1** S. 106(1) omitted (15.2.2010) by virtue of [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 27(a)** (with Sch. 4)
- F2** S. 106(1A) omitted (15.2.2010) by virtue of [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 27(a)** (with Sch. 4)
- F3** S. 106(2) omitted (15.2.2010) by virtue of [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 27(a)** (with Sch. 4)
- F4** S. 106(2)(t)-(y) inserted (4.4.2005) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 26, 48(1)-(3), **Sch. 2 para. 21(o)**; S.I. 2005/565, **art. 2** (with savings in arts. 3-9)
- F5** S. 106(3) substituted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 27(b)** (with Sch. 4)
- F6** Words in s. 106(4) substituted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), art. 1, **Sch. 1 para. 27(c)** (with Sch. 4)
- F7** Words in s. 106(4) omitted (4.4.2005) by virtue of [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 26, 48(1)-(3), **Sch. 2 para. 21(t)** and words in said subprovision repealed (prosp.) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), ss. 47, 48(1)-(3), **Sch. 4** ; S.I. 2005/565, **art. 2** (with savings in arts. 3-9)

Modifications etc. (not altering text)

- C1** S. 106 extended by [1981 c. 61, s. 40A\(7\)](#) (as substituted (1.4.2003) by [2002 c. 41, ss. 4\(1\), 162\(2\)](#) (with s. 159); S.I. 2003/754, art. 2(1), **Sch. 1**)

Status:

Point in time view as at 15/02/2010. This version of this provision has been superseded.

Changes to legislation:

Nationality, Immigration and Asylum Act 2002, Section 106 is up to date with all changes known to be in force on or before 10 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.