Status: Point in time view as at 15/02/2010. This version of this provision has been superseded.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



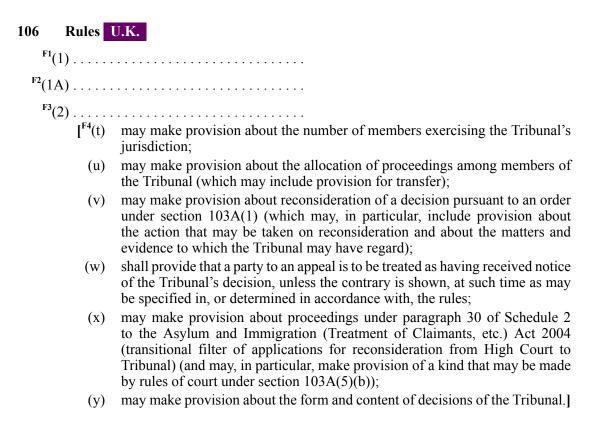
# Nationality, Immigration and Asylum Act 2002

**2002 CHAPTER 41** 

# PART 5 U.K.

IMMIGRATION AND ASYLUM APPEALS

Procedure



Status: Point in time view as at 15/02/2010. This version of this provision has been superseded.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

- [<sup>F5</sup>(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 [<sup>F6</sup>Tribunal Procedure Rules in connection with proceedings under section 82, 83 or 83A or by virtue of section 109] to attend before <sup>F7</sup>... 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(0); 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.