
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 54

[^{F1}JUDICIAL REVIEW AND STATUTORY REVIEW]

*[^{F2}III – APPLICATIONS FOR STATUTORY REVIEW UNDER SECTION
103A OF THE NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002*

[^{F1}]^{F2}Procedure while filter provision has effect

54.31.—(1) This rule applies during any period in which the filter provision has effect.

(2) Where the applicant receives notice from the Tribunal that it—

- (a) does not propose to make an order for reconsideration; or
- (b) does not propose to grant permission for the application to be made outside the relevant time limit,

and the applicant wishes the court to consider the application, the applicant must file a notice in writing at the Administrative Court Office in accordance with paragraph 30(5)(b) of Schedule 2 to the 2004 Act.

[
^{F3}(2A) The applicant must file with the notice—

- (a) a copy of the Tribunal's notification that it does not propose to make an order for reconsideration or does not propose to grant permission for the application to be made outside the relevant time limit (referred to in CPR rule 54.31(2));
- (b) any other document which was served on the applicant by the Tribunal giving reasons for its decision in paragraph (a);
- (c) written evidence in support of any application by the applicant seeking permission to make the application outside the relevant time limit, if applicable;
- (d) a copy of the application for reconsideration under section 103A of the 2002 Act (Form AIT/103A), as submitted to the Tribunal (referred to in Rule 54.29(1)(a).]

(3) Where the applicant—

- (a) was the respondent to the appeal; and
- (b) was required to serve the notice from the Tribunal mentioned in paragraph (2) on the appellant,

the notice filed in accordance with paragraph 30(5)(b) of Schedule 2 to the 2004 Act must contain a statement of the date on which, and the means by which, the notice from the Tribunal was served.

(4) A notice which is filed outside the period specified in paragraph 30(5)(b) must—

Status: Point in time view as at 02/10/2006. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 54.31. (See end of Document for details)*

- (a) set out the grounds on which it is contended that the notice could not reasonably practicably have been filed within that period; and
 - (b) be supported by written evidence verified by a statement of truth.
- (5) If the applicant wishes to respond to the reasons given by the Tribunal for its decision that it—
- (a) does not propose to make an order for reconsideration; or
 - (b) does not propose to grant permission for the application to be made outside the relevant time limit,

the notice filed in accordance with paragraph 30(5)(b) of Schedule 2 to the 2004 Act must be accompanied by written submissions setting out the grounds upon which the applicant disputes any of the reasons given by the Tribunal and giving reasons in support of those grounds.]]

Textual Amendments

- F1** Pt. 54 inserted (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000 \(S.I. 2000/2092\)](#), [rule 1](#), [Sch.](#) (with [rule 30](#))
- F2** Pt. 54 Section 3 inserted (4.4.2005) by [The Civil Procedure \(Amendment\) Rules 2005 \(S.I. 2005/352\)](#), [rule 1\(1\)](#), [Sch. Pt. 2](#) (with [rule 9](#))
- F3** Rule 54.31(2A) inserted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), [rules 1](#), [8\(2\)](#)

Status:

Point in time view as at 02/10/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 54.31.