

**2003 No. 1329 (L. 27)**

**SUPREME COURT OF ENGLAND AND WALES  
COUNTY COURTS, ENGLAND AND WALES**

**The Civil Procedure (Amendment No. 3) Rules 2003**

<i>Made</i> - - - - -	<i>18th May 2003</i>
<i>Laid before Parliament</i>	<i>19th May 2003</i>
<i>Coming into force</i> - -	<i>9th June 2003</i>

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(a) to make rules of court under section 1 of that Act, after consulting in accordance with section 2(6)(a) of that Act, make the following Rules:

**Citation, commencement and interpretation**

1. These Rules may be cited as the Civil Procedure (Amendment No. 3) Rules 2003 and shall come into force on 9th June 2003.
2. In these Rules, a reference to a rule by number alone means the rule so numbered in the Civil Procedure Rules 1998(b).

**Amendments to the Civil Procedure Rules 1998**

3. In rule 43.2(3), for the word “litigation” the second time it appears, substitute “proceedings”.
4. In rule 54.22—
  - (a) in paragraph (3), for sub-paragraph (a) substitute—

“(a) the immigration or asylum decision to which the proceedings relate, and any document giving reasons for that decision;”;

and
  - (b) omit paragraph (5).

*Phillips of Worth Matravers, M.R.*  
*Anthony May, L.J.*  
*Stephen Oliver-Jones*  
*Carlos Dabezies*  
*Steven Whitaker*  
*Michelle Stevens-Hoare*  
*Philip Rainey*  
*Tim Parker*  
*Juliet Herzog*  
*Nicholas Burkill*  
*Alan Street*  
*Ahmad Butt*

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(a) 1997 c. 12.

(b) S.I. 1998/3132. There are relevant amendments in S.I. 2003/364 and S.I. 2003/1242.

I allow these Rules

*Irvine of Lairg, C.*

Dated 18th May 2003

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### EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules make minor amendments to the Civil Procedure Rules 1998.

Rule 3 amends rule 43.2(3) to ensure consistency with Parts 44 to 48, and with the Regulations on conditional fee agreements made under section 58 of the Courts and Legal Services Act 1990.

Rule 4 amends rule 54.22, which was inserted by S.I. 2003/364. Rule 54.22 prescribes the method of making an application to the High Court under section 101(2) of the Nationality, Immigration and Asylum Act 2002 (“the 2002 Act”) for a review of the decision of the Immigration Appeal Tribunal on an application for permission to appeal from an adjudicator. Paragraph (5) of rule 54.22, which for the purpose of paragraph (3)(a) defined “decision” by reference to specific sections of the 2002 Act, is omitted, and paragraph (3)(a) is amended in consequence. These amendments are made to ensure that rule 54.22 is consistent with anticipated new transitional provisions for the 2002 Act, whereby it is proposed to extend the scope of section 101 to apply in cases where the adjudicator’s decision was made in an appeal under legislation which preceded the 2002 Act.

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