

---

STATUTORY INSTRUMENTS

---

**2005 No. 352**

**The Civil Procedure (Amendment) Rules 2005**

**Amendments to the Civil Procedure Rules 1998**

5. In rule 54.25, for paragraphs (3) to (7) substitute—

“(3) The court may—

- (a) affirm the Tribunal’s decision to refuse permission to appeal;
- (b) reverse the Tribunal’s decision to grant permission to appeal; or
- (c) order the Asylum and Immigration Tribunal to reconsider the adjudicator’s decision on the appeal.

(4) Where the Tribunal refused permission to appeal, the court will order the Asylum and Immigration Tribunal to reconsider the adjudicator’s decision on the appeal only if it is satisfied that—

- (a) the Tribunal may have made an error of law; and
- (b) there is a real possibility that the Asylum and Immigration Tribunal would make a different decision from the adjudicator on reconsidering the appeal (which may include making a different direction under section 87 of the 2002 Act).

(5) Where the Tribunal granted permission to appeal, the court will reverse the Tribunal’s decision only if it is satisfied that there is no real possibility that the Asylum and Immigration Tribunal, on reconsidering the adjudicator’s decision on the appeal, would make a different decision from the adjudicator.

(6) The court’s decision shall be final and there shall be no appeal from that decision or renewal of the application.”.