
STATUTORY INSTRUMENTS

2005 No. 352

The Civil Procedure (Amendment) Rules 2005

Transitional provision

9.—(1) This rule applies where, by virtue of transitional provisions contained in an order made under section 48(3)(a) of the 2004 Act—

- (a) an application to the Immigration Appeal Tribunal for permission to appeal against an adjudicator's decision on an appeal, which was pending immediately before 4th April 2005, continues on and after 4th April 2005 as an application under section 103A of the 2002 Act; or
- (b) an application is made under section 103A of the 2002 Act on or after 4th April 2005 for an order requiring the Asylum and Immigration Tribunal to reconsider an adjudicator's decision on an appeal.

(2) III of Part 54 shall apply to the application, subject to the modifications set out in paragraphs (3) and (4).

(3) In rules 54.28(2)(c), 54.29(2) to (4) and 54.33(3) and (5)(a), references to the Tribunal shall be construed as references to the adjudicator who decided the appeal.

(4) In rules 54.28(2)(g) and 54.33(4)(b) and (5), the references to the Tribunal's decision on the appeal shall be construed as references to the adjudicator's decision.