
STATUTORY INSTRUMENTS

2008 No. 2698

The Tribunal Procedure (Upper Tribunal) Rules 2008

PART 4

Judicial review proceedings in the Upper Tribunal

Decision on permission or summary dismissal, and reconsideration of permission or summary dismissal at a hearing

30.—(1) The Upper Tribunal must send to the applicant, each respondent and any other person who provided an acknowledgment of service to the Upper Tribunal, and may send to any other person who may have an interest in the proceedings, written notice of—

(a) its decision in relation to the application for permission; and

[^{F1}(b) the reasons for any—

(i) refusal of the application or refusal to admit the late application, or

(ii) limitations or conditions on permission.]

(2) In proceedings transferred from the Court of Session under section 20(1) of the 2007 Act, where the Upper Tribunal has considered whether summarily to dismiss of the proceedings, the Upper Tribunal must send to the applicant and each respondent, and may send to any other person who may have an interest in the proceedings, written notice of—

(a) its decision in relation to the summary dismissal of proceedings; and

(b) the reasons for any decision summarily to dismiss part or all of the proceedings, or any limitations or conditions on the continuation of such proceedings.

(3) Paragraph (4) applies where the Upper Tribunal, without a hearing—

[^{F2}(a) determines an application for permission to bring judicial review proceedings by—

(i) refusing permission or refusing to admit the late application, or

(ii) giving permission on limited grounds or subject to conditions]

(b) in proceedings transferred from the Court of Session, summarily dismisses part or all of the proceedings, or imposes any limitations or conditions on the continuation of such proceedings.

(4) [^{F3}Subject to paragraph (4A), in] the circumstances specified in paragraph (3) the applicant may apply for the decision to be reconsidered at a hearing.

[^{F4}(4A) Where the Upper Tribunal refuses permission to bring immigration judicial review proceedings [^{F5}or refuses to admit a late application for permission to bring such proceedings] and considers the application to be totally without merit, it shall record that fact in its decision notice and, in those circumstances, the applicant may not request the decision to be reconsidered at a hearing.]

(5) An application under paragraph (4) must be made in writing and must be sent or delivered to the Upper Tribunal so that it is received within 14 days [^{F6}, or in [^{F7}immigration judicial review]

Changes to legislation: The Tribunal Procedure (Upper Tribunal) Rules 2008, Section 30 is up to date with all changes known to be in force on or before 09 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) View outstanding changes

proceedings 9 days,] after the date on which the Upper Tribunal sent written notice of its decision regarding the application to the applicant.

Textual Amendments

- F1** Rule 30(1)(b) substituted (6.4.2014) by [The Tribunal Procedure \(Amendment\) Rules 2014 \(S.I. 2014/514\)](#), rules 1, **11(a)**
- F2** Rule 30(3)(a) substituted (6.4.2014) by [The Tribunal Procedure \(Amendment\) Rules 2014 \(S.I. 2014/514\)](#), rules 1, **11(b)**
- F3** Words in rule 30(4) substituted (1.11.2013) by [The Tribunal Procedure \(Amendment No. 4\) Rules 2013 \(S.I. 2013/2067\)](#), rules 1, **13(a)**
- F4** Rule 30(4A) inserted (1.11.2013) by [The Tribunal Procedure \(Amendment No. 4\) Rules 2013 \(S.I. 2013/2067\)](#), rules 1, **13(b)**
- F5** Words in rule 30(4A) inserted (6.4.2014) by [The Tribunal Procedure \(Amendment\) Rules 2014 \(S.I. 2014/514\)](#), rules 1, **11(c)**
- F6** Words in rule 30(5) inserted (17.10.2011) by [The Tribunal Procedure \(Upper Tribunal\) \(Amendment\) Rules 2011 \(S.I. 2011/2343\)](#), rules 1, **10**
- F7** Words in rule 30(5) substituted (1.11.2013) by [The Tribunal Procedure \(Amendment No. 4\) Rules 2013 \(S.I. 2013/2067\)](#), rules 1, **13(c)**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 5 inserted by [S.I. 2024/588 rule 2\(5\)](#)
- rule 1(2A) inserted by [S.I. 2024/588 rule 2\(2\)\(a\)](#)
- rule 26D inserted by [S.I. 2024/588 rule 2\(4\)](#)