

## SCHEDULE

### The Fast Track Rules

## PART 2

### Appeals to the Tribunal

#### **Time limits**

5.—(1) The notice of appeal must be provided not later than 2 working days after the day on which the appellant was provided with notice of the decision against which the appeal is brought.

(2) Where a notice of appeal is provided outside the time limit in paragraph (1), the Tribunal must not extend the time for appealing unless it considers that it is in the interests of justice to do so.

(3) Subject to paragraph (5), the Tribunal must consider any issue as to—

- (a) whether a notice of appeal was given outside the time limit in paragraph (1); and
- (b) whether to extend the time for appealing,

at the hearing fixed for the hearing of the appeal under the Fast Track Rules under rule 8, and rules 9, 12 and 14 apply to the consideration and decision of such an issue as they apply to the consideration and decision of an appeal.

(4) Where a notice of appeal is provided outside the time limit in paragraph (1) and the respondent notifies the Tribunal that directions have been given for the removal of that person from the United Kingdom on a date within 5 working days of the date on which the notice of appeal was received, the Tribunal must, if reasonably practicable, make any decision on an issue referred to in paragraph (3) before the date and time proposed for the removal, and may do so as a preliminary issue.

(5) Where the Tribunal decides that the notice of appeal was provided outside the time limit and does not extend the time for appealing, the Tribunal must provide to the parties notice of its decision, including its reasons, not later than 1 working day after the date on which that decision was made, after which it shall take no further action in relation to the notice of appeal.

(6) In a case to which paragraph (5) applies, the notice of decision may be given orally at a hearing.