

SCHEDULE

The Fast Track Rules

PART 1

Introduction and Scope

Interpretation and relationship with the Principal Rules

1.—(1) The rules in this Schedule are the Fast Track Rules.

(2) A rule or Part referred to in this Schedule by number alone means a rule in, or Part of, the Fast Track Rules.

(3) In these Rules, the “Principal Rules” means rules 1 to 46 of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014.

(4) The Principal Rules, except for those provisions referred to in Table 2 below apply for the purposes of and the interpretation of the Fast Track Rules.

(5) Where the Fast Track Rules cease to apply to an appeal or application because—

(a) the condition referred to in rule 2(1)(b) ceases to apply; or

(b) the Tribunal makes an order under rule 14,

the Principal Rules shall apply to the appeal or application.

(6) Where—

(a) a period of time for taking a step has started to run under a provision of the Fast Track Rules, and

(b) that provision ceases to apply in the circumstances to which paragraph (5) refers,

if the Principal Rules contain a time limit for taking such step, the time limit in the Principal Rules shall apply, and the relevant period of time shall be treated as running from the date on which the period of time under the Fast Track Rules started to run.

Table 2

Principal Rules which do not apply in the fast track

<i>Rule numbers refer to the Principal Rules</i>	<i>Notes</i>
Rule 3(2) – (4) (delegation to staff)	
Rule 4(3)(a) (case management powers: reducing or extending time)	Rule 5(2) – (6) of the Fast Track Rules (time limits) applies
Rule 4(3)(h) (case management powers: adjourning or postponing hearing)	Rule 12 of the Fast Track Rules (adjournment) applies
Rule 4(3)(j) (case management powers: stay or sist proceedings)	
Rule 4(3)(k) (case management powers: transfer of proceedings)	
Rule 4(3)(l) (suspending effect of decision pending onward appeal etc)	

Status: This is the original version (as it was originally made).

<i>Rule numbers refer to the Principal Rules</i>	<i>Notes</i>
Rule 7 (striking out of appeal for non-payment of fee and reinstatement)	
Rule 9(1) (costs orders for payment of Tribunal fees)	
Rule 19 (notice of appeal)	Rules 3 to 6 of the Fast Track Rules apply
Rules 20 and 21 (late notice of appeal; special provision for imminent removal cases)	Rule 5 of the Fast Track Rules (time limits) applies
Rule 22, except for the purposes of paragraph (2)(a) (no appealable decision)	
Rules 23 – 24 (response: entry clearance and other cases)	Rule 7 of the Fast Track Rules (filing of documents by respondent) applies
Rule 29(2) to (6) (provision of written statement of reasons for Tribunal’s decision)	Rule 10 of the Fast Track Rules (decisions and notice of decisions) applies
Rule 33(2) and (3) (time limit for applying to the Tribunal for permission to appeal to the Upper Tribunal)	Rule 11 of the Fast Track Rules (time limit for making an application for permission to appeal) applies
Rule 34(1) (Tribunal to consider first whether to review decision)	

Scope of Fast Track Rules

2.—(1) The Fast Track Rules apply to an appeal to the Tribunal or an application for permission to appeal to the Upper Tribunal where the appellant—

- (a) was detained under the Immigration Acts at a place specified in paragraph (3) when provided with notice of the appealable decision against which the appellant is appealing; and
- (b) has been continuously detained under the Immigration Acts at a place or places specified in paragraph (3) since that notice was served on the appellant.

(2) An appellant does not, for the purposes of this rule, cease to satisfy the condition in paragraph (1)(b) by reason only of—

- (a) being transported from one place of detention specified in paragraph (3) to another place which is so specified; or
- (b) leaving and returning to such a place of detention for any purpose between the hours of 6 am and 10 pm.

(3) The places specified for the purposes of this rule are—

- (a) Colnbrook House Immigration Removal Centre, Harmondsworth, Middlesex;
- (b) Harmondsworth Immigration Removal Centre, Harmondsworth, Middlesex;
- (c) Yarl’s Wood Immigration Removal Centre, Clapham, Bedfordshire.