
STATUTORY INSTRUMENTS

2022 No. 312

The Tribunal Procedure (Amendment) Rules 2022

Amendments to the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

2.—(1) The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014(1) are amended as follows.

(2) In rule 1(4) (citation, commencement, application and interpretation), after the definition of “appellant” insert—

““appointment” means (except in rule 10(5)), a case management meeting conducted by a member of the Tribunal’s staff authorised to carry out functions of a judicial nature pursuant to rule 3(2), held for the purpose of carrying out any of those functions;”.

(3) In rule 4(3) (case management powers) after “hearing” where it appears in sub-paragraphs (f), (g), (h) and (i) insert “or appointment”.

(4) In rule 8(1) (substitution and addition of parties) for “respondent” in the two places where it occurs, substitute “party”.

(5) In rule 12(1) (sending, delivery and language of documents)—

(a) omit sub-paragraph (c);

(b) at the end of sub-paragraph (d) omit “or”;

(c) after sub-paragraph (d) insert—

“(da) uploaded to the Tribunal’s secure portal in a compatible file format; or”.

(6) After rule 12 (sending, delivery and language of documents) insert—

“Providing contact details

12A.—(1) An appellant must provide the Tribunal with—

(a) the postal address at which they are living, if they have one; and

(b) their email address, if they have one.

(2) The Tribunal must be notified of any change to the details provided under paragraph (1) as soon as reasonably practicable.

(3) If the appellant has a representative, the representative shall take all reasonable steps to ensure that the appellant complies with paragraphs (1) and (2).

(4) If the respondent decides to remove or deport an appellant from the United Kingdom whilst proceedings before the Tribunal, including any application for permission to appeal, are pending the respondent must inform the Tribunal of that fact and take all reasonable steps before any removal or deportation—

(a) to obtain from the appellant an email address and postal address in the country to which it is intended to remove or deport the appellant to which correspondence may be sent to the appellant; and

- (b) to provide that information to the Tribunal and to the appellant’s representative, if they have one, as soon as reasonably practicable and in any event before removal or deportation.”.
- (7) In rule 19 (notice of appeal)—
 - (a) in paragraph (4)—
 - (i) in sub-paragraph (a), for “set out the grounds of appeal” substitute “identify which of the available statutory grounds of appeal are relied upon”;
 - (ii) omit sub-paragraphs (d), (e) and (f);
 - (b) after paragraph (7) insert—

“(8) A practice direction may require that, in a specified category of case, the notice of appeal must also set out the grounds of appeal.”.
- (8) In rule 23 (response: entry clearance cases), in paragraph (2)—
 - (a) omit sub-paragraph (b);
 - (b) at the end of sub-paragraph (e), omit “and”;
 - (c) at the end of sub-paragraph (f), omit the full stop and insert—

“; and
 - (g) any documents provided to the respondent in support of the original application.”.
- (9) In rule 24 (response: other cases)—
 - (a) in paragraph (1)—
 - (i) at the end of sub-paragraph (d) omit “and”;
 - (ii) at the end of sub-paragraph (e) omit the full stop and insert—

“; and
 - (f) any documents provided to the respondent in support of the original application.”;
 - (b) omit paragraph (2);
 - (c) in paragraph (3) omit “and any statement required under paragraph (2)”.
- (10) After rule 24 (response: other cases) insert—

“Further Steps

24A.—(1) If the appellant is represented, upon the respondent complying with rule 23(2) or rule 24(1), as the case may be, the appellant must provide the Tribunal with—

- (a) an appeal skeleton argument which complies with any relevant practice direction; and
- (b) copies of the evidence relied upon in the appeal skeleton argument, insofar as that evidence is not already contained in the documents provided by the respondent under rule 23(2) or rule 24(1).

(2) The documents in paragraph (1) are to be provided to the Tribunal within 28 days after the respondent complies with rule 23(2) or rule 24(1), as the case may be, or within 42 days after the notice of appeal is provided to the Tribunal, whichever is later.

(3) The respondent must no later than 14 days after compliance with paragraph (1) provide to the Tribunal and the appellant a written statement which complies with any relevant practice direction, of whether the respondent opposes all or part of the appellant’s case and if so the grounds for such opposition.

(4) A practice direction may disapply the requirement in paragraph (1) in a specified category of case.”.

(11) In rule 33(7) (application for permission to appeal to the Upper Tribunal), after “out of time,” insert “or the application for permission was received out of time,”.

(12) In rule 38(3) (bail applications), in sub-paragraph (h) after “was refused and” insert “, where the previous refusal took place less than 28 days before the application,”.