



TRIBUNALS
JUDICIARY

PRACTICE STATEMENT
DELEGATION OF FUNCTIONS TO STAFF IN THE FIRST-TIER TRIBUNAL (IMMIGRATION AND
ASYLUM CHAMBER) ON OR AFTER 19 DECEMBER 2011

1. This Practice Statement applies to appeals before the First-tier Tribunal (Immigration and Asylum Chamber) ('the Tribunal') and references to rules are to the Asylum and Immigration Tribunal (Procedure) Rules 2005 (as amended), which apply to proceedings before the Tribunal.
2. In exercise of the power conferred by rule 43 of the Asylum and Immigration Tribunal (Procedure) Rules 2005 (as amended), the Senior President of Tribunals hereby approves that a member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 may carry out, on or after 19 December 2011, the function of a judicial nature specified in sub-paragraph (a) to (d):
 - a) Refuse to accept a notice of appeal by reason only of rule 9(1A)(c) (where the Lord Chancellor has refused to issue a certificate of fee satisfaction);
 - b) Strike out an appeal in accordance with rule 17A (where the Tribunal has accepted an appeal but is later notified by the Lord Chancellor that the certificate of fee satisfaction relating to the appeal has been revoked);
 - c) Reinstate an appeal in accordance with rule 17B (where upon application from the appellant the Tribunal is informed that the Lord Chancellor has issued a new certificate of fee satisfaction where one was previously revoked);
 - d) in accordance with rule 15(2)(aa) to:
 - i. List for oral hearing a case previously set down for paper consideration upon notification that that the Lord Chancellor has issued a certificate of fee satisfaction for the fee payable for a hearing; or
 - ii. Remove from the list for oral hearing and set down for paper consideration any case listed for an oral hearing where the Tribunal is notified that the Lord Chancellor has only issued a certificate of fee satisfaction for the fee payable for paper consideration and, having been given the opportunity, the appellant has not paid the difference
3. In accordance with rule 43(5), within 14 days after the date that the Tribunal sends notice of a decision made by a member of staff pursuant to an approval under paragraph 2 above to a party, that party may apply in writing to the Tribunal for that decision to be considered afresh by a judge.

LORD JUSTICE CARNWATH
SENIOR PRESIDENT OF TRIBUNALS
19 December 2011