

**FIRST-TIER TRIBUNAL  
IMMIGRATION AND ASYLUM CHAMBER**

---

**FTTIAC PRESIDENTIAL GUIDANCE NOTE NO. 1 OF 2010:  
DOCUMENTS SENT TO THE TRIBUNAL BY FAX**

On 15 February 2010, the procedure under Schedule 2 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004, whereby applications for reconsideration under section 103A of the Nationality, Immigration and Asylum Act 2002 were made to the Asylum and Immigration Tribunal, came to an end. On that day, the functions of the Asylum and Immigration Tribunal were transferred to the First-tier Tribunal and the AIT was abolished.

In place of the system of reconsideration under section 103A, a decision of the First-tier Tribunal, Immigration and Asylum Chamber may be appealed, with permission, to the Upper Tribunal. Under rule 55 of the Asylum and Immigration Tribunal (Procedure) Rules 2005, as currently drafted, an application to the Immigration and Asylum Chamber for permission to appeal to the Upper Tribunal is treated as made on the day on which it is deemed to have been received pursuant to rule 55(5). If such an application is sent by fax, then, as is the case with other documents to which rule 55 applies, it will be treated as served on a particular day if it is completely transmitted before midnight on that day.

*(It should be noted that, in the case of the Upper Tribunal, rule 12 of the Tribunal Procedure (Upper Tribunal) Rules 2008 provides that an act required by those Rules, a practice direction or a direction to be done by a particular day must be done by 5pm on that day)*

**Elisabeth Arfon-Jones DL  
President**

April 2010