

UPPER TRIBUNAL
ADMINISTRATIVE APPEALS CHAMBER
GUIDANCE FOR USERS
ELECTRONIC FILING OF DOCUMENTS ONLINE: CE-FILE

1. This Guidance replaces the earlier “Note for Users Electronic Filing of Documents Online: Ce-File” dated 11 April 2022.
2. CE-File is the online system for filing documents electronically at the Upper Tribunal Administrative Appeals Chamber (“the Tribunal”). It is also a database that enables Tribunal users to access their cases.
3. CE-File is a permitted method for sending and delivering documents to the Tribunal for the purposes of rule 13(1)(c) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698) (“the Tribunal Rules”).
4. The Tribunal’s Practice Direction “Electronic Filing - CE-File” dated 4 October 2023 (“the Practice Direction”) requires that in proceedings started in the Tribunal on or after 4 December 2023, any document provided to the Tribunal must be provided using CE-File if the party acts by a legal representative or is a body who can be judicially reviewed.
5. For proceedings commenced in the Tribunal on or after 7 March 2022 or in other cases where the Tribunal has provided a CE-File reference, any party who does not come within the categories set out in paragraph 4 above may choose to provide documents to the Tribunal using CE-File, but they are not obliged to do so.
6. Unrepresented parties may use CE-File, but the Tribunal will continue to accept documents from them by post, DX, fax, e-mail or by hand. As use of CE-File relies on scanned documents, unrepresented users may prefer to continue to use one of these other methods and will not be disadvantaged by doing so.
7. A CE-File reference (other than in Scotland) uses the format UA-yyyy-xxxxx-zzz, where yyyy is the year, xxxxxx represents the file number and zzz indicates the subject matter of the case. Appeals in Scotland are assigned a reference number in the format: UA-yyyy-SCO-xxxxx-zzz.
8. The Practice Direction requirement to use CE-File applies to “any document” that is provided to the Tribunal that is not an “excluded document”. A “document” for these purposes will include the initial application, submissions, further evidence, interim applications and correspondence.
9. “Excluded documents” are defined in paragraph 1 of the Practice Direction as original documents, audio or video recordings, electronic bundles for use in hearings, closed or confidential material and documents larger than 50 megabytes. “Confidential material” may include: material that is addressed by Rule 19(4) of the Tribunal Rules in child support cases; other personal, private, medical or financial material that is not

required to be disclosed to the other party or parties in the case; and documents or information that is not to be disclosed by an order or direction made by the Tribunal under Rule 14 of the Tribunal Rules. Paragraph 6 of the Practice Direction explains how to file excluded documents with the Tribunal.

10. The Practice Direction provides that except for when CE-File is unavailable (examples are given at paragraph 8 of that document), the Tribunal will not accept a document that must be supplied by CE-File, unless a Judge or Registrar has permitted or requested the provision of such a document by other means. Where a party intends to seek an order from the Tribunal maintaining confidentiality in respect of all or part of a document, the document should not be uploaded to CE-File until the question of confidentiality has been resolved. Instead the party should make an application to the Tribunal for permission to provide the document by a means other than CE-File. The application should be made in writing to the Tribunal, with reasons provided.

11. As paragraph 7 of the Practice Direction makes clear, CE-File cannot be used to provide documents to another party (as opposed to the Tribunal), even if the other party is legally represented. Where documents are required to be provided to another party, they must be sent or delivered to that party by another method permitted under rule 13 of the Tribunal Rules.

12. To use CE-File, users must first register as an E-Filer. This will allow users to file documents electronically. To register or log in and file a document using CE-File, a party or representative should follow these 4 steps:

- (a) access the CE-File website address: <https://efile.cefile-app.com/login>;
- (b) log on to an existing account or register for an account by following the 'Register as an E-Filer' link at the bottom of the landing page;
- (c) enter details of a new case or use the details of an existing case (select 'Upper Tribunal (Administrative Appeals Chamber)' from the 'Courts' menu and then select whether this is a filing for a 'New Case' or an 'Existing Case');
- (d) upload the appropriate document (explain what is being filed and upload the document in Microsoft Word or PDF format).

Once a filing in a new case is accepted, a case number will be created and users will be notified of it in CE-File and via email. In CE-File this will appear in the top right corner of the screen.

For further guidance in relation to using CE-File see:

<https://www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>

DAME HEATHER WILLIAMS DBE

CHAMBER PRESIDENT

30 October 2023