



.....

TRIBUNALS  
JUDICIARY

**PRACTICE STATEMENT**

**IMMIGRATION AND ASYLUM CHAMBER OF THE UPPER TRIBUNAL  
DELEGATION OF FUNCTIONS TO STAFF ON OR AFTER 9 DECEMBER  
2013**

---

1. The Senior President of Tribunals hereby approves a legally qualified member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to carry out any of the following functions of the Immigration and Asylum Chamber of the Upper Tribunal, so far as they concern that Chamber's judicial review jurisdiction, where the member of staff (who, for the purpose of exercising those functions, shall be known as a UTIAC Lawyer) has been authorised by the President of that Chamber to exercise that particular function –
  - a. Making orders under section 18(3) of that Act, transferring to the High Court in England and Wales applications of the kind described in section 18(1), which the Upper Tribunal does not have the function of deciding;
  - b. Exercising any case management powers under rule 5 except –
    - i. Extending time under rule 5(3)(a) in relation to the time limits referred to in rules 28(2), (3), (7) and 30(5);
    - ii. Suspending a decision under rule 5(3)(l);
    - iii. Requiring a tribunal to provide reasons for its decision under rule 5(3)(n);
  - c. Dealing with irregularities under rule 7(2) (except taking action under rule 7(4));
  - d. Striking out under rule 8(1) or (3)(a) and reinstating proceedings under rule 8(5);
  - e. Giving directions substituting or adding parties under rule 9;

- f. Summarily assessing costs under rule 10(8)(a);
- g. Giving consent to withdraw a case and reinstating a case under rule 17;
- h. Transferring proceedings to the High Court in England and Wales, pursuant to rule 33A(3)(a);
- i. Making a consent order under rule 39 and making such other provision under that rule as the parties have agreed;
- j. Correcting under rule 42 clerical mistakes or other accidental slips or omissions in decisions or records of decisions.

2. In this Practice Statement –

“legally qualified” means being a qualified solicitor or a barrister who has completed 12 months’ pupillage;

“rule”, followed by a number, means the rule bearing that number in the Tribunal Procedure (Upper Tribunal) Rules 2008.

**SIR JEREMY SULLIVAN  
SENIOR PRESIDENT OF TRIBUNALS**

**09 December 2013**