

**Status:** This version of this schedule contains provisions that are prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Nationality and Borders Act 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## SCHEDULES

PROSPECTIVE

### SCHEDULE 3

Section 23

#### EXPEDITED APPEALS WHERE PRIORITY REMOVAL NOTICE SERVED: CONSEQUENTIAL AMENDMENTS

- 1 The Nationality, Immigration and Asylum Act 2002 is amended in accordance with paragraphs 2 to 6.

##### Commencement Information

**I1** Sch. 3 para. 1 not in force at Royal Assent, see [s. 87\(1\)](#)

- 2 In section 85 (matters to be considered on appeal)—
- (a) in subsections (1), (2) and (4), after “the Tribunal” insert “or the Upper Tribunal”;
  - (b) in subsection (5)—
    - (i) after “the Tribunal”, in the first place it appears, insert “or the Upper Tribunal”;
    - (ii) for “the Tribunal”, in the second place it appears, substitute “the tribunal concerned”.

##### Commencement Information

**I2** Sch. 3 para. 2 not in force at Royal Assent, see [s. 87\(1\)](#)

- 3 In section 86 (determination of appeal), in subsection (2), after “the Tribunal” insert “or the Upper Tribunal”.

##### Commencement Information

**I3** Sch. 3 para. 3 not in force at Royal Assent, see [s. 87\(1\)](#)

- 4 In section 106 (tribunal procedure rules), in subsections (3) and (4), after “the Tribunal” insert “or the Upper Tribunal”.

##### Commencement Information

**I4** Sch. 3 para. 4 not in force at Royal Assent, see [s. 87\(1\)](#)

- 5 In section 107 (practice directions)—
- (a) before subsection (3) insert—

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“(2A) Subsection (3) applies to—

- (a) proceedings under section 82 in the Tribunal or proceedings in the Upper Tribunal arising out of such proceedings;
- (b) proceedings under section 82 in the Upper Tribunal (see section 82A and section 24 of the Nationality and Borders Act 2022).”;
  - (b) in subsection (3), for the words from “under section 82” to “such proceedings” substitute “to which this subsection applies”.

**Commencement Information**

**I5** Sch. 3 para. 5 not in force at Royal Assent, see [s. 87\(1\)](#)

- 6 In section 108 (forged document: proceedings in private), in subsection (2), after “The Tribunal” insert “or the Upper Tribunal”.

**Commencement Information**

**I6** Sch. 3 para. 6 not in force at Royal Assent, see [s. 87\(1\)](#)

- 7 In section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (claimant’s credibility), in subsection (9A)—

- (a) for the words from the beginning to “subsection (7) the” substitute “In this section a”;
- (b) after “acting” insert “—
  - (a)”;
    - (c) at the end insert “, or
      - (b) in relation to—
        - (i) an expedited appeal within the meaning of section 82A of the Nationality, Immigration and Asylum Act 2002, or
        - (ii) an expedited related appeal within the meaning of section 24 of the Nationality and Borders Act 2022 that involves an asylum claim or a human rights claim.”

**Commencement Information**

**I7** Sch. 3 para. 7 not in force at Royal Assent, see [s. 87\(1\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded by [2024 c. 8 s. 2\(5\)\(a\)](#)<sup>5</sup>

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)