



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART IV

APPEALS

Appeals without merit

79 Penalty on continuing an appeal without merit

- (1) If, at any time before it determines an appeal, the Immigration Appeal Tribunal considers that the appeal has no merit it may notify the appellant of its opinion.
- (2) A notice under subsection (1) must—
 - (a) include an explanation of the Tribunal's powers under this section; and
 - (b) be made in such form as may be required by rules made under paragraph 3 of Schedule 4.
- (3) Subsection (1) does not apply if leave for appeal to the Tribunal was required.
- (4) Subsection (5) applies if an appeal which has been continued by the appellant after he has been given a notice under subsection (1) is dismissed.
- (5) The Tribunal may impose on the appellant, or on his representative, a penalty of the specified amount.
- (6) "Specified" means specified by an order made by the Lord Chancellor.
- (7) The Lord Chancellor may by order make such provision as he considers appropriate as to—
 - (a) the enforcement in England and Wales and Northern Ireland, and
 - (b) the payment and application,of penalties imposed under this section.
- (8) Such an order may, in particular, make provision similar to that made by sections 129 and 130 of the County Courts Act 1984.

Status: This is the original version (as it was originally enacted).

- (9) An order imposing a penalty under subsection (5) may be enforced in Scotland as if it were an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland.