

## SCHEDULES

### SCHEDULE 4

#### APPEALS

#### PART III

#### DETERMINATION OF APPEALS

##### *Appeals to Immigration Appeal Tribunal*

- 22 (1) Subject to any requirement of rules made under paragraph 3 as to leave to appeal, any party to an appeal, other than an appeal under section 71, to an adjudicator may, if dissatisfied with his determination, appeal to the Immigration Appeal Tribunal.
- (2) The Tribunal may affirm the determination or make any other determination which the adjudicator could have made.
- (3) Sub-paragraphs (4) to (6) apply if directions have been given by an adjudicator under paragraph 21.
- (4) The directions need not be complied with—
- (a) so long as an appeal can be brought against his determination; and
  - (b) if such an appeal is duly brought, so long as the appeal is pending.
- (5) If the Tribunal affirm the adjudicator's determination allowing the appeal, they may alter or add to his directions and recommendations under paragraph 21 or replace them with their own directions and recommendations.
- (6) The provisions of paragraph 21 are to apply accordingly.
- (7) If an appeal is dismissed by an adjudicator but allowed by the Tribunal, paragraph 21 applies with the substitution of references to the Tribunal for references to the adjudicator.