

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

Changes to legislation: Nationality and Borders Act 2022, SCHEDULE 3 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made 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:

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\(12\)](#)