STATUTORY INSTRUMENTS

2007 No. 3187

The Asylum (Procedures) Regulations 2007

Interpreters

5.—(1) Paragraph (2) applies where a person who has made an asylum or a human rights claim (or both) –

(a) appeals under section 82, 83 or 83A of the 2002 Act(**1**) or section 2 of the 1997 Act(**2**), and

(b) by virtue of Rules made under section 106 of the 2002 Act(**3**) or sections 5 and 8 of the 1997 Act(**4**) is entitled to the services of an interpreter for the purposes of bringing his appeal.

(2) The Secretary of State shall defray the costs of providing the interpreter.

(3) Paragraph (5) applies where a person who has made an asylum claim or a human rights claim (or both) is party to –

(a) an appeal under section 103B, 103C or 103E of the 2002 Act(**5**), or

(b) an appeal under section 7 of the 1997 Act(**6**).

(4) Paragraph (5) also applies where a person who has made an asylum or a human rights claim (or both) makes –

(a) an application to the supervisory jurisdiction of the Court of Session made by petition for judicial review,

(b) an application under section 31 of the Supreme Court Act 1981(**7**), or

(c) an application under section 18 of the Judicature (Northern Ireland) Act 1978(**8**).

(5) The person mentioned in paragraphs (3) and (4) shall be entitled to the services of an interpreter for the purposes of the appeal or application —

(a) when giving evidence, and

(b) in such other circumstances as the court hearing the appeal or application considers it necessary.

(6) Where a person is entitled to the services of an interpreter under paragraph (5), the Secretary of State shall defray the costs of providing such interpreter.

(**1**) Section 82 has been amended by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19) and the Immigration, Asylum and Nationality Act 2006 (c. 13). Section 83 has been amended by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19). Section 83A was inserted by the Immigration, Asylum and Nationality Act 2006 (c. 13).

(**2**) Section 2 was substituted by the Nationality, Immigration and Asylum Act 2002 (c. 41) and has been amended by the Immigration, Asylum and Nationality Act 2006 (c. 13).

(**3**) Section 106 has been amended by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19) and the Immigration, Asylum and Nationality Act 2006 (c. 13).

(**4**) Section 5 has been amended by the Regulation of Investigatory Powers Act 2000 (c. 23), the Race Relations (Amendment) Act 2000 (c. 34) and the Nationality Immigration and Asylum Act 2002 (c. 41).

(**5**) Sections 103B, 103C and 103E were inserted by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c.19). Section 103E has been amended by the Immigration, Asylum and Nationality Act 2006 (c.13).

(**6**) Section 7(4) has been repealed by the Immigration and Asylum Act 1999 (c.33).

(**7**) 1981 Act c.54. Section 31 has been amended by the Tribunals, Courts and Enforcement Act 2007 (c.15) (amendment not yet in force) and the Civil Procedure (Modification of Supreme Court Act 1981) Order 2004 (S.I. 2004/1033).

(**8**) 1978 Act c.23. Section 18 has been amended by the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675).