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STATUTORY INSTRUMENTS

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**2008 No. 2698**

**The Tribunal Procedure (Upper Tribunal) Rules 2008**

**PART 3**

**Appeals and references to the Upper Tribunal**

**Notice of appeal**

**23.**—(1) This rule applies—

- (a) if another tribunal has given permission for a party to appeal to the Upper Tribunal; or
- (b) subject to any other direction by the Upper Tribunal, if the Upper Tribunal has given permission to appeal and has given a direction that the application for permission to appeal does not stand as the notice of appeal.

(2) The appellant must provide a notice of appeal to the Upper Tribunal so that it is received within 1 month after the tribunal that gave permission to appeal sent notice of such permission to the appellant.

(3) The notice of appeal must include the information listed in rule 21(4)(a) to (e) (content of the application for permission to appeal) and, where the Upper Tribunal has given permission to appeal, the Upper Tribunal's case reference.

(4) If another tribunal has granted permission to appeal, the appellant must provide with the notice of appeal a copy of—

- (a) any written record of the decision being challenged;
- (b) any separate written statement of reasons for that decision; and
- (c) the notice of permission to appeal.

(5) If the appellant provides the notice of appeal to the Upper Tribunal later than the time required by paragraph (2) or by an extension of time allowed under rule 5(3)(a) (power to extend time)—

- (a) the notice of appeal must include a request for an extension of time and the reason why the notice was not provided in time; and
- (b) unless the Upper Tribunal extends time for the notice of appeal under rule 5(3)(a) (power to extend time) the Upper Tribunal must not admit the notice of appeal.

(6) When the Upper Tribunal receives the notice of appeal it must send a copy of the notice and any accompanying documents to each respondent.