

**2016 No. 1149**

**TRIBUNALS AND INQUIRIES**

**The First-tier Tribunal (Immigration and Asylum Chamber) Fees  
(Amendment) (No. 2) Order 2016**

<i>Made</i>	- - - -	<i>24th November 2016</i>
<i>Laid before Parliament</i>		<i>28th November 2016</i>
<i>Coming into force</i>	- -	<i>29th November 2016</i>

The Lord Chancellor makes the following Order in exercise of the powers conferred by sections 42(1) and 49(3) of the Tribunals, Courts and Enforcement Act 2007(a).

The Lord Chancellor has consulted the Senior President of Tribunals in accordance with section 42(5) of that Act before making this Order.

**Citation and commencement**

1. This Order may be cited as the First-tier Tribunal (Immigration and Asylum Chamber) Fees (Amendment) (No. 2) Order 2016 and comes into force on 29th November 2016.

**Amendment of the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011**

2. The First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011(b) is amended as follows.

3. In article 3 (fees for appeals)—

- (a) in paragraph (3)(a), for “£490” substitute “£80”;
- (b) in paragraph (3)(b), for “£800” substitute “£140”.

**Transitional provision**

4. The amendments made by article 3 apply to an appeal in respect of which an appellant gives a Notice of Appeal to the First-tier Tribunal on or after the coming into force date of this Order.

24th November 2016

*Sir Oliver Heald QC*  
Minister of State  
Ministry of Justice

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(a) 2007 c. 15; relevant amendments were made to section 42 by S.I. 2010/21 and S.I. 2013/2042.  
(b) S.I. 2011/2841; amended by S.I. 2016/928.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011 (S.I. 2011/2841). It reduces the fees payable for appeals heard in the Immigration and Asylum Chamber of the First-tier Tribunal, thereby reinstating the fees that were payable prior to the coming into force of the First-tier Tribunal (Immigration and Asylum Chamber) Fees (Amendment) Order 2016 (S.I. 2016/928) ('the 2016 Order').

Where an appellant consents to an appeal being determined without a hearing, the new fee is £80 (formerly £490). Where the appellant does not consent to the appeal being determined without a hearing, the fee is £140 (formerly £800) (article 3). The new fees will be payable in respect of a notice of appeal given to the First-tier Tribunal on or after the 29th November (article 4).

A full impact assessment was conducted when the 2016 Order was introduced. That impact assessment also included the impact on the costs of business, the voluntary sector and the public of setting fees at the level contained in this Order. It is available at <https://legislation.gov.uk>.

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