

SCHEDULE 12

Regulation 14

AMENDMENT OF THE FIRST-TIER TRIBUNAL  
(IMMIGRATION AND ASYLUM CHAMBER) FEES ORDER 2011

1.—(1) The First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011(1) is amended as follows.

(2) In article 2 (interpretation), for the definition of “the 2016 Regulations”, substitute—

““the 2017 Regulations” means the Immigration and Nationality (Fees) Regulations 2017”.

(3) For article 5(1A) and (1B) (exemption from fees) substitute—

“(1A) No fee is payable for a relevant appeal brought by an appellant who has been excepted from the requirement to pay an application fee under the 2017 Regulations in accordance with the following exceptions—

- (a) exception 4.5 (application by person physically present in UK but liable to immigration detention where the requirement to pay the fee would be incompatible with the person’s Convention rights) in Table 4 of paragraph (2) of Schedule 1 to those Regulations; or
- (b) exception 9.4 (specified human rights applications) in Table 9 of paragraph (2) of Schedule 2 to those Regulations.

(1B) For the purposes of this article, a “relevant appeal” is an appeal against a decision to refuse the application in respect of which the appellant was excepted from the requirement to pay a fee under the 2017 Regulations.”.

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(1) [S.I. 2011/2841](#); amendments have been made to that Order by [S.I. 2013/534](#), [2016/928](#) and [2016/1149](#).