

SCHEDULE 4

Transitional and saving provisions

Saving provisions

20. Section 103D of the 2002 Act and the Community Legal Service (Asylum and Immigration Appeals) Regulations 2005⁽¹⁾ (“the 2005 Regulations”) (legal aid funding arrangements) shall continue to apply to proceedings to which paragraphs 2 to 8 and 13(1)(b), (c) and (2) (in relation to sub-paragraphs (1)(b) to (e)) apply until the proceedings are finally determined —

- (a) as if the repeals in Schedule 1 in respect of sections 103A and 103D of the 2002 Act and rule 33 of the Asylum and Immigration Tribunal (Procedure) Rules 2005⁽²⁾ (“the 2005 Rules”), and the repeals and revocations in Schedule 3 in respect of paragraph 30 of Schedule 2 to the 2004 Act and the 2005 Regulations had not been made;
- (b) as if the references to the Tribunal in section 103D of the 2002 Act, paragraph 30 of Schedule 2 to the 2004 Act, the 2005 Regulations and rule 33 of the 2005 Rules were references to the First-tier Tribunal or the Upper Tribunal as appropriate, and the references to the appropriate court and the High Court were references to the Upper Tribunal where appropriate; and
- (c) subject to any necessary modifications to the 2005 Regulations and the 2005 Rules.

(1) [S.I. 2005/966](#) was amended by the Community Legal Service (Asylum and Immigration Appeals) (Amendment) Regulations 2007 ([S.I. 2007/1317](#)).

(2) [S.I. 2005/230](#).