STATUTORY RULES OF NORTHERN IRELAND

2005 No. 146

The Rules of the Supreme Court
(Northern Ireland) (Amendment) 2005

Amendment to the principal Rules

5. Order 61 shall be amended as follows –

(a) for rule 11 there shall be substituted the following new rule –

"**Application for leave to appeal to the Court of Appeal from the Tribunal
established under section 81 of the Nationality, Immigration and Asylum Act
2002**

11.—(1) In this rule and rule 12 –

"the Act" means the Nationality, Immigration and Asylum Act 2002(**1**); and

"the Tribunal" means the Tribunal established under section 81 of the Act.

(2) An application for leave to appeal to the Court of Appeal under sections 103B or
103E of the Act shall be made within 14 days after the appellant is served with written
notice of the Tribunal's decision to refuse leave to appeal.

(3) Such an application shall be made ex parte by lodging the following documents in
the Central Office, namely –

(a) a certified copy of the Tribunal's decision to refuse leave to appeal; and

(b) a statement of the grounds of the application.

(4) The proper officer shall notify the parties of the determination of the Court of
Appeal.

(5) Where leave to appeal has been granted, the applicant shall notify the President
of the Tribunal."

(b) for rule 12, there shall be substituted the following new rule –

"**Appeal from the Tribunal**

12.—(1) Where leave to appeal to the Court of Appeal under sections 103B or 103E of
the Act has been granted by the Tribunal or by the Court of Appeal, the time limit specified
in rule 1(2)(a) for lodging the requisition to state a case shall be calculated from the date
leave was so granted.

(2) On entering an appeal for hearing a copy of the order granting leave to appeal by
the Tribunal or the Court of Appeal must be lodged in the Central Office together with the
case stated and the requisition for hearing."