



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART V

IMMIGRATION ADVISERS AND IMMIGRATION SERVICE PROVIDERS

[^{F1}Appeals to the First-tier Tribunal]

87 [^{F1}Appeals to the First-tier Tribunal.]

^{F2}(1)

(2) Any person aggrieved by a relevant decision of the Commissioner may appeal to the [^{F3}First-tier Tribunal] against the decision.

(3) “Relevant decision” means a decision—

(a) to refuse an application for registration made under paragraph 1 of Schedule 6;

^{F4}(b)

(c) under paragraph 2(2) of that Schedule to register with limited effect;

(d) to refuse an application for continued registration made under paragraph 3 of that Schedule;

(e) to vary a registration on an application under paragraph 3 of that Schedule;

[^{F5}(ea) to vary a registration under paragraph 3A of that Schedule;] or

[^{F6}(eb) to cancel a registration under paragraph 4A(e) of that Schedule.]

^{F7}(f)

[^{F8}(3A) A relevant decision of the Commissioner is not to have effect while the period within which an appeal may be brought against the decision is running.

(3B) In the case of an appeal under this section, Tribunal Procedure Rules may include provision permitting the First-tier Tribunal to direct that while the appeal is being dealt with—

(a) no effect is to be given to the decision appealed against; or

(b) only such limited effect is to be given to it as may be specified in the direction.

Changes to legislation: Immigration and Asylum Act 1999, Section 87 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3C) If provision is made in Tribunal Procedure Rules by virtue of subsection (3B), the rules must also include provision requiring the First-tier Tribunal to consider applications by the Commissioner for the cancellation or variation of directions given by virtue of that subsection.]

[^{F9}(4) For [^{F10}further functions] of the First-tier Tribunal under this Part, see paragraph 9(1) (e) of Schedule 5 (disciplinary charges laid by the Commissioner) [^{F11} and paragraph 4B of Schedule 6 (suspension of registration by First-tier Tribunal)] .]

^{F12}(5)

Textual Amendments

- F1** S. 87 heading substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(a\)](#) (with [Sch. 5](#))
- F2** S. 87(1) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(b\)](#) (with [Sch. 5](#))
- F3** Words in s. 87(2) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(c\)](#) (with [Sch. 5](#))
- F4** S. 87(3)(b) omitted (17.11.2014) by virtue of [Immigration Act 2014 \(c. 22\)](#), [s. 75\(3\)](#), [Sch. 7 para. 2\(2\)\(c\)](#); [S.I. 2014/2771](#), [art. 5\(c\)](#)
- F5** S. 87(3)(ea) inserted (8.1.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), [s. 140\(3\)](#) (with [s. 159](#)); [S.I. 2002/2811](#), [art. 2](#), [Sch.](#) (with [art. 5](#))
- F6** S. 87(3)(eb) inserted (17.11.2014) by [Immigration Act 2014 \(c. 22\)](#), [s. 75\(3\)](#), [Sch. 7 para. 4\(1\)](#); [S.I. 2014/2771](#), [art. 5\(c\)](#)
- F7** S. 87(3)(f) repealed (1.10.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), [ss. 40, 48\(3\)](#), [Sch. 4](#); [S.I. 2004/2523](#), [art. 2](#), [Sch.](#)
- F8** S. 87(3A)-(3C) inserted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(d\)](#) (with [Sch. 5](#))
- F9** S. 87(4) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(e\)](#) (with [Sch. 5](#))
- F10** Words in s. 87(4) substituted (17.11.2014) by [Immigration Act 2014 \(c. 22\)](#), [s. 75\(3\)](#), [Sch. 7 para. 5\(2\)\(a\)](#); [S.I. 2014/2771](#), [art. 5\(c\)](#)
- F11** Words in s. 87(4) inserted (17.11.2014) by [Immigration Act 2014 \(c. 22\)](#), [s. 75\(3\)](#), [Sch. 7 para. 5\(2\)\(b\)](#); [S.I. 2014/2771](#), [art. 5\(c\)](#)
- F12** S. 87(5) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), [art. 1\(1\)](#), [Sch. 2 para. 35\(b\)](#) (with [Sch. 5](#))

Commencement Information

- I1** S. 87 wholly in force at 30.10.2000; s. 87 not in force at Royal Assent see [s. 170\(4\)](#); s. 87(5) in force for certain purposes at 1.8.2000 and s. 87 in force at 30.10.2000 insofar as not already in force by [S.I. 2000/1985](#), [art. 2](#), [Sch.](#) (with transitional provisions in [art. 3](#))

Changes to legislation:

Immigration and Asylum Act 1999, Section 87 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by [2023 c. 37 s. 10\(6\)](#)
- s. 40(1)-(1C) substituted for s. 40(1) by [2022 c. 36 s. 76\(2\)](#)
- s. 40(4A)(4B) inserted by [2022 c. 36 s. 76\(5\)](#)
- s. 72(10) repealed by [2004 c. 19 Sch. 4](#)
- s. 94(2A)-(2C) inserted by [2016 c. 19 Sch. 11 para. 3\(3\)](#)
- s. 94(2D) inserted by [2016 c. 19 Sch. 11 para. 7\(4\)](#)
- s. 94(3)(3A) substituted for s. 94(3) by [2002 c. 41 s. 44\(4\)](#) (This amendment is repealed (prosp.) by [2016 c. 19, Sch. 11 para. 41](#))
- s. 94(3A)-(3D) inserted by [2016 c. 19 Sch. 11 para. 3\(5\)](#)
- s. 95A inserted by [2016 c. 19 Sch. 11 para. 9](#)
- s. 96(1A) inserted by [2016 c. 19 Sch. 11 para. 10\(3\)](#)
- s. 97(3A)(b)(iv) inserted by [2022 c. 36 s. 13\(2\)\(c\)\(ii\)](#)
- s. 97(8)(9) inserted by [2016 c. 19 Sch. 11 para. 11\(4\)](#)
- s. 98A inserted by [2016 c. 19 Sch. 11 para. 13](#)
- s. 98A(5) inserted by [2022 c. 36 s. 13\(4\)](#)
- s. 103(4)(a) words substituted by [2004 c. 19 s. 10\(4\)\(b\)](#)
- s. 103(5)(b) word substituted by [S.I. 2008/2833 Sch. 3 para. 183\(ii\)](#)
- s. 103A(1) words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) heading words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) words substituted by [S.I. 2008/2833 Sch. 3 para. 184](#)
- s. 125(2)(ba) inserted by [2016 c. 19 Sch. 11 para. 22\(3\)\(b\)](#)
- s. 146(2)(za) inserted by [2016 c. 19 s. 44\(9\)](#)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by [2016 c. 19 Sch. 11 para. 24\(2\)](#)
- s. 166(5A)(5B) inserted by [2016 c. 19 Sch. 11 para. 24\(3\)](#)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by [2016 c. 19 Sch. 11 para. 24\(4\)](#)
- Sch. 2 para. 21 modified by [2002 c. 41 s. 23\(2\)\(a\)](#)
- Sch. 3 para. 2(5) modified by [2002 c. 41 s. 23\(2\)\(b\)](#)