

Status: This version of this provision is prospective.

Changes to legislation: Nationality and Borders Act 2022, Section 80 is up to date with all changes known to be in force on or before 19 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



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 6

MISCELLANEOUS

PROSPECTIVE

80 Tribunal charging power in respect of wasted resources

(1) After section 25 of the Tribunals, Courts and Enforcement Act 2007 insert—

“25A First-tier Tribunal and Upper Tribunal: charging power in respect of wasted resources

- (1) If, in respect of proceedings before the First-tier Tribunal or Upper Tribunal, the Tribunal considers that—
- (a) a relevant participant has acted improperly, unreasonably or negligently, and
 - (b) as a result, the Tribunal’s resources have been wasted,
- it may charge the participant an amount under this section.
- (2) Subsection (1) is subject to Tribunal Procedure Rules.
- (3) For the purposes of this section “relevant participant”, in respect of proceedings, means—
- (a) any person exercising a right of audience or right to conduct the proceedings on behalf of a party to proceedings,
 - (b) any employee of such a person, or
 - (c) where the Secretary of State is a party to proceedings and has not instructed a person mentioned in paragraph (a) to act on their behalf in the proceedings, the Secretary of State.

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- (4) A person may be found to have acted improperly, unreasonably or negligently for the purposes of subsection (1) by reason of having failed to act in a particular way.
- (5) The proceeds of amounts charged under this section must be paid into the Consolidated Fund.”
- (2) In Schedule 5 to that Act (procedure in First-tier Tribunal and Upper Tribunal), after paragraph 11 insert—

“Charges in respect of wasted resources

- 11A (1) Rules may make provision for regulating matters relating to the charging of amounts under section 25A (First-tier Tribunal and Upper Tribunal: power to charge in respect of wasted resources).
- (2) The provision mentioned in sub-paragraph (1) includes (in particular) provision prescribing scales of amounts that may be charged.”

Commencement Information

- II** S. 80 not in force at Royal Assent, see [s. 87\(1\)](#)

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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. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)