



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: PA/10382/2019

THE IMMIGRATION ACTS

**No hearing
22 July 2021**

**Decision & Reasons Promulgated
On 5 August 2021**

Before

MR C M G OCKELTON, VICE PRESIDENT

Between

[S M]

and

Appellant

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REMITTAL

1. On 21 June 2021 I wrote to the parties as follows:

“In a response under rule 24, Mr Tufan, Senior Home Office Presenting Officer, has proposed, on behalf of the Secretary of State, that this appeal to be heard afresh in the First-tier Tribunal.

The reason for that proposal, with which I agree, is that Judge Page applied the wrong standard of proof to the determination of the appellant’s nationality.

I now propose, without more ado, to set aside Judge Page’s decision for error of law and remit the appellant’s appeal to be heard afresh by the First-tier Tribunal.

Any submissions to the contrary will be considered if received **within 14 days** of the date of this letter.”

2. No reply has been received.

3. I now set aside the decision of Judge Page for error of law and remit the appeal to the First-tier Tribunal for decision afresh.

C.M.G. Ockelton

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 22 July 2021