



# Special Immigration Appeals Commission Act 1997

## CHAPTER 68

### SPECIAL IMMIGRATION APPEALS COMMISSION ACT 1997

- 1 Establishment of the Commission.
- 2 Jurisdiction: appeals
- 2A Jurisdiction: racial discrimination and human rights.
- 2B A person may appeal to the Special Immigration Appeals Commission...
- 2C Jurisdiction: review of certain exclusion decisions
- 2D Jurisdiction: review of certain naturalisation and citizenship decisions
- 2E Jurisdiction: review of certain deportation decisions
- 2F Jurisdiction: review of certain immigration decisions
- 3 Jurisdiction: bail.
- 4 Determination of appeals.
- 5 Procedure in relation to jurisdiction under sections 2 and 3.
- 6 Appointment of person to represent the appellant's interests.
- 6A Procedure in relation to jurisdiction under sections 2C to 2F
- 6B Procedure in relation to jurisdiction under Schedule 4A to the British Nationality Act 1981
- 7 Appeals from the Commission.
- 7A Pending appeals.
- 7B Appeals to Supreme Court: grant of certificate by Commission
- 7C Appeals to Supreme Court: permission to appeal
- 7D Appeals to Supreme Court: exclusions
- 8 Procedure on applications to the Commission for leave to appeal etc.
- 9 Short title, commencement and extent.

*Changes to legislation: Special Immigration Appeals Commission Act 1997 is up to date with all changes known to be in force on or before 21 September 2023. 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*

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## SCHEDULES

### SCHEDULE 1 — The Commission

#### *Members*

- 1 (1) The Special Immigration Appeals Commission shall consist of such...

#### *Chairman*

- 2 The Lord Chancellor shall appoint one of the members of...

#### *Payments to members*

- 3 (1) The Lord Chancellor may pay to the members of...

#### *Proceedings*

- 4 The Commission shall sit at such times and in such...  
 5 The Commission shall be deemed to be duly constituted if...  
 6 The chairman or, in his absence, such other member of...

#### *Staff*

- 7 The Lord Chancellor may appoint such officers and servants for...

#### *Expenses*

- 8 The Lord Chancellor shall defray the remuneration of persons appointed...

### SCHEDULE 2 —

#### *Stay on directions for removal*

- 1 If a person in the United Kingdom appeals under section...

#### *Deportation order not to be made while appeal pending*

- 2 If a person in the United Kingdom appeals under section...

#### *Stay of removal directions pending appeal and bail*

- 3 But the provisions of Part I of Schedule 2 or, ...  
 3A In calculating the period of two months limited by paragraph...  
 3B If directions are given under Part I of Schedule 2...

#### *Suspension of variation of limited leave*

- 3C A variation is not to take effect while an appeal...

#### *Continuation of leave*

- 3D (1) While an appeal under section 2(1) above is pending,...

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*Deportation orders*

- 3E A deportation order is not to be made against a...
- 3F In calculating the period of eight weeks set by section...

*Appeals under section 2A*

- 3G (1) A person is not to be required to leave,...

*Construction of references to pending appeal*

- 4 For the purposes of this Schedule, an appeal under section...

*Appeals involving asylum*

- 5 .....

*Notice of appealable decision and statement of appeal rights etc.*

- 6 Paragraph 1 of Schedule 4 to the Immigration and Asylum...

*Financial support for organisations helping persons with rights of appeal*

- 7 Section 81 of the Immigration and Asylum Act 1999 shall...

SCHEDULE 3 — Bail: Modifications of Schedule 2 to the Immigration Act 1971

- 1 (1) Paragraph 22 shall be amended as follows.
- 2 (1) Paragraph 23 shall be amended as follows.
- 3 (1) Paragraph 24 shall be amended as follows.
- 4 (1) Paragraph 29 shall be amended as follows.
- 5 Paragraph 30(2) shall be omitted. Paragraph 5(5) (payment of sum...
- 6 (1) Paragraph 31 shall be amended as follows.
- 7 Paragraph 32 shall be amended as follows—
- 8 (1) Paragraph 33 shall be amended as follows.
- 9 Paragraph 10(10) (meaning of “relevant authority”) has effect as if...

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 2(1)(a) words omitted by 2014 c. 22 Sch. 9 para. 26(2)(a)
- s. 2(1)(b) words omitted by 2014 c. 22 Sch. 9 para. 26(2)(b)
- s. 2(2)(d) omitted by 2014 c. 22 Sch. 9 para. 26(2)(c)
- s. 2(2)(h) omitted by 2014 c. 22 Sch. 9 para. 26(2)(c)
- s. 2(2)(l) omitted by 2014 c. 22 Sch. 9 para. 26(2)(c)
- s. 2(3)(4) omitted by 2014 c. 22 Sch. 9 para. 26(2)(d)
- s. 2(5) words omitted by 2014 c. 22 Sch. 9 para. 26(2)(e)
- s. 2(6) omitted by 2014 c. 22 Sch. 9 para. 26(2)(f)
- s. 2B words omitted by 2014 c. 22 Sch. 9 para. 26(3)
- s. 5 extended by 1999 c. 33 s. 44(13)
- s. 5 heading word inserted by 2023 c. 37 s. 53(7)(a)
- s. 5(1)(a) words substituted by 2023 c. 37 s. 53(6)(a)
- s. 5(1)(b) words substituted by 2023 c. 37 s. 53(6)(a)
- s. 5(2) words substituted by 2023 c. 37 s. 53(6)(b)
- s. 5(9) words inserted by 2023 c. 37 s. 53(7)(b)
- s. 6A(1) words substituted by 2023 c. 37 s. 53(6)(c)
- s. 6A(2)(a) words substituted by 2023 c. 37 s. 53(6)(d)
- s. 7(1A) words substituted by 2014 c. 22 Sch. 9 para. 26(5)
- s. 9(3) modified by 2015 c. 2 s. 97(2)
- Sch. 3 para. 3(a) words inserted by 2023 c. 37 s. 13(5)

**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. 2AA2AB inserted by 2023 c. 37 s. 53(5)
- s. 5(10)-(13) inserted by 2023 c. 37 s. 53(7)(c)