
DRAFT STATUTORY INSTRUMENTS

2007 No.

**The Proscribed Organisations Appeal
Commission (Procedure) Rules 2007**

PART 3

PERMISSION TO APPEAL

Application for permission to appeal

30.—(1) This rule applies to applications for permission to appeal, on a question of law, to the Court of Appeal, the Court of Session or the Court of Appeal in Northern Ireland, as the case may be, from a decision by the Commission on an appeal brought under section 5 of the 2000 Act or in proceedings under section 7(1)(a) of the 1998 Act.

(2) Subject to paragraph (4), the appellant must file any application for permission to appeal with the Commission no later than 10 days after the day on which he received the determination containing the decision.

(3) Subject to paragraph (4), the Secretary of State must file any application for permission to appeal with the Commission—

- (a) where he makes an application under rule 29(3), no later than 10 days after—
 - (i) the day of the hearing of the application, or
 - (ii) where there is no hearing, the day on which he received notification of the decision on the application; or
- (b) where he does not make such an application, no later than 15 days after the day on which he received the determination containing the decision.

(4) The Commission may accept an application filed after the expiry of the relevant period in paragraph (2) or (3) if it is satisfied that, by reason of special circumstances, it would be unjust not to do so.

(5) The application must—

- (a) state the grounds of the appeal; and
- (b) be signed by the applicant or his representative and be dated.

(6) The applicant must serve a copy of the application on every other party and on any special advocate.

(7) The Commission may decide an application for permission without a hearing unless it considers there are special circumstances which make a hearing necessary or desirable.