

*These notes refer to the Immigration and Asylum Act 1999  
(c.33) which received Royal Assent on 11 November 1999*

# IMMIGRATION AND ASYLUM ACT 1999

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Schedule 9*

#### *Section 104: Secretary of State's rules*

318. This section provides that the Secretary of State may make rules governing the procedure for bringing and hearing appeals. They may cover such matters as periods of notice for bringing appeals, the burden of proof in the appeals, the admissibility of various matters as evidence, the summoning of witnesses, how adjudicators are to proceed in the absence of the appellant, how they may determine cases without a hearing, and the publication of their decisions.
319. Subsection (3) provides that the Secretary of State should, in drawing up the rules, have regard to the objective of clearing appeals as swiftly as possible. This reflects the fact that a person appealing against a refusal of assistance is not entitled to support while he is waiting for the case to be heard.