

*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

Part IV: Appeals

Section 61: Variation of limited leave to enter or remain

198. This section gives a right of appeal against a decision to vary or refuse to vary limited leave if, as a result of the decision, the person with the leave may be required to leave the United Kingdom within 28 days. This gives effect to the principle that a right of appeal should exist only for the most adverse immigration decisions and that there should be no right of appeal unless a decision requires the person's departure from the United Kingdom. A person must have valid leave to enter or remain at the time the application is made in order to have a right of appeal under this section (see also commentary on section 10 and commentary on section 69 in relation to asylum seekers granted exceptional leave to enter).