



# Special Immigration Appeals Commission Act 1997

## 1997 CHAPTER 68

### [<sup>F1</sup>2D Jurisdiction: review of certain naturalisation and citizenship decisions

- (1) Subsection (2) applies in relation to any decision of the Secretary of State which—
  - (a) is either—
    - (i) a refusal to issue a certificate of naturalisation under section 6 [<sup>F2</sup>or 18] of the British Nationality Act 1981 to an applicant under that section, or
    - (ii) a refusal to grant an application of the kind mentioned in section 41A of that Act (applications to register an adult or young person as a British citizen etc.), and
  - (b) is certified by the Secretary of State as a decision that was made wholly or partly in reliance on information which, in the opinion of the Secretary of State, should not be made public—
    - (i) in the interests of national security,
    - (ii) in the interests of the relationship between the United Kingdom and another country, or
    - (iii) otherwise in the public interest.
- (2) The applicant to whom the decision relates may apply to the Special Immigration Appeals Commission to set aside the decision.
- (3) In determining whether the decision should be set aside, the Commission must apply the principles which would be applied in judicial review proceedings.
- (4) If the Commission decides that the decision should be set aside, it may make any such order, or give any such relief, as may be made or given in judicial review proceedings.]

#### Textual Amendments

- F1** Ss. 2C, 2D inserted (25.6.2013) by [Justice and Security Act 2013 \(c. 18\)](#), **ss. 15, 20(1)**; [S.I. 2013/1482](#), [art. 2](#) (with [arts. 3, 4](#))

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**Changes to legislation:** Special Immigration Appeals Commission Act 1997, Section 2D is up to date with all changes known to be in force on or before 22 November 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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**F2** Words in s. 2D(1)(a)(i) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), **ss. 47, 52(5)**

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**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\(7\)\(c\)](#)