
STATUTORY INSTRUMENTS

2003 No. 1034

The Special Immigration Appeals
Commission (Procedure) Rules 2003

PART 7

GENERAL PROVISIONS

Closed material

37.—(1) In this rule, “closed material” means material upon which the Secretary of State wishes to rely in any proceedings before the Commission, but which the Secretary of State objects to disclosing to the appellant or his representative.

(2) The Secretary of State may not rely upon closed material unless a special advocate has been appointed to represent the interests of the appellant.

(3) Where the Secretary of State wishes to rely upon closed material and a special advocate has been appointed, the Secretary of State must file with the Commission and serve on the special advocate—

- (a) a copy of the closed material;
- (b) a statement of his reasons for objecting to its disclosure; and
- (c) if and to the extent that it is possible to do so without disclosing information contrary to the public interest, a statement of the material in a form which can be served on the appellant.

(4) The Secretary of State must, at the same time as filing it, serve on the appellant any statement filed under paragraph (3)(c).

(5) The Secretary of State may, with the leave of the Commission, at any time amend or supplement material filed under this rule.