
STATUTORY INSTRUMENTS

2003 No. 1034

The Special Immigration Appeals
Commission (Procedure) Rules 2003

PART 2

APPEALS TO THE COMMISSION UNDER THE 1997 ACT

Starting an appeal

7.—(1) An appeal to the Commission under the 1997 Act must be made by giving notice of appeal in accordance with these Rules.

(2) Subject to paragraph (3), notice of appeal must be given by filing it with the Commission.

(3) A person who is in detention under the Immigration Acts or the 2001 Act may give notice of appeal either—

- (a) in accordance with paragraph (2); or
- (b) by serving it on the person having custody of him.

(4) When a person files a notice of appeal in accordance with paragraph (2), he must at the same time serve a copy of the notice and any accompanying documents on the Secretary of State.

(5) Where notice of appeal is given in accordance with paragraph (3)(b)—

- (a) the person having custody of the appellant must endorse on the notice the date that it is served on him and forward it to the Commission; and
- (b) the Commission must serve a copy of the notice and any accompanying documents on the Secretary of State.