



Special Immigration Appeals Commission Act 1997

1997 CHAPTER 68

3 Jurisdiction: bail.

- (1) In the case of a person to whom subsection (2) below applies, the provisions of [^{F1}Schedule 10 to the Immigration Act 2016] specified in Schedule 3 to this Act shall have effect with the modifications set out there.
- (2) This subsection applies to a person who is detained under the Immigration Act 1971 [^{F2}or the Nationality, Immigration and Asylum Act 2002] if—
 - (a) the Secretary of State certifies that his detention is necessary in the interests of national security,
 - (b) he is detained following a decision to refuse him leave to enter the United Kingdom on the ground that his exclusion is in the interests of national security, or
 - (c) he is detained following a decision to make a deportation order against him on the ground that his deportation is in the interests of national security.

Textual Amendments

- F1** Words in s. 3(1) substituted (15.1.2018) by [Immigration Act 2016 \(c. 19\), s. 94\(1\), Sch. 10 para. 23; S.I. 2017/1241, reg. 2\(c\)](#) (with [Sch.](#)) (as amended by [S.I. 2018/31, reg. 2](#))
- F2** Words in s. 3(2) inserted (4.4.2003) by [The Nationality, Immigration and Asylum Act 2002 \(Consequential and Incidental Provisions\) Order 2003 \(S.I. 2003/1016\), art. 2\(2\), Sch. para. 10](#)

Changes to legislation:

Special Immigration Appeals Commission Act 1997, Section 3 is up to date with all changes known to be in force on or before 26 December 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.

[View outstanding changes](#)

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