

*Status: Point in time view as at 01/03/2000. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Immigration and Asylum Act 1999, Cross Heading: Stay on directions for removal is up to date with all changes known to be in force on or before 26 July 2024. 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)*

## SCHEDULES

### SCHEDULE 4

#### APPEALS

##### Modifications etc. (not altering text)

- C1** [Sch. 4](#) applied (with modifications) (2.10.2000) by [S.I. 2000/2326](#), [reg. 29\(4\)](#), [Sch. 2](#) (with application as mentioned in [regs. 9, 28](#) of the said S.I.)

VALID FROM 02/10/2000

#### PART II

##### EFFECT OF APPEALS

###### *Stay on directions for removal*

- 10 If a person in the United Kingdom appeals under section 59 or 69(1) on being refused leave to enter, any directions previously given by virtue of the refusal for his removal from the United Kingdom cease to have effect, except in so far as they have already been carried out, and no directions may be so given while the appeal is pending.

##### Commencement Information

- II** [Sch. 4 paras. 10-24](#) wholly in force at 2.10.2000 by [S.I. 2000/2444](#), [art. 2](#), [Sch. 1](#) (subject to the transitional provisions in [arts. 3, 4](#), [Sch. 2](#))

- 11 If a person in the United Kingdom appeals under section 66, 67 or 69(5) against any directions given under—
- (a) section 10,
  - (b) Part I of Schedule 2 to the 1971 Act, or
  - (c) Schedule 3 to that Act,
- for his removal from the United Kingdom, those directions except in so far as they have already been carried out, are to have no effect while the appeal is pending.

##### Commencement Information

- I2** [Sch. 4 paras. 10-24](#) wholly in force at 2.10.2000 by [S.I. 2000/2444](#), [art. 2](#), [Sch. 1](#) (subject to the transitional provisions in [arts. 3, 4](#), [Sch. 2](#))

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- 12 But the provisions of Part I of Schedule 2 or, as the case may be, Schedule 3 to the 1971 Act with respect to detention and persons liable to detention apply to a person appealing under section 59, 66, 67 or 69(1) or (5), as if there were in force directions for his removal from the United Kingdom, except that he may not be detained on board a ship or aircraft so as to compel him to leave the United Kingdom while the appeal is pending.

**Commencement Information**

- I3** Sch. 4 paras. 10-24 wholly in force at 2.10.2000 by S.I. 2000/2444, art. 2, Sch. 1 (subject to the transitional provisions in arts. 3, 4, Sch. 2)

- 13 In calculating the period of two months limited by paragraph 8(2) of Schedule 2 to the 1971 Act for—
- (a) the giving of directions under that paragraph for the removal of a person from the United Kingdom, and
  - (b) the giving of a notice of intention to give such directions,
- any period during which there is pending an appeal by him under section 59, 67 or 69(1) of this Act is to be disregarded.

**Commencement Information**

- I4** Sch. 4 paras. 10-24 wholly in force at 2.10.2000 by S.I. 2000/2444, art. 2, Sch. 1 (subject to the transitional provisions in arts. 3, 4, Sch. 2)

- 14 For the purposes of paragraphs 10 to 12 (but not for purposes of paragraph 13), except in so far as those paragraphs apply to appeals under section 69, where an appeal to an adjudicator is dismissed, an appeal is not to be regarded as pending unless immediately after the dismissal—
- (a) the appellant gives notice of appeal against the determination of the adjudicator; or
  - (b) in a case in which leave to appeal against that determination is required and the adjudicator has power to grant leave, the appellant applies for and obtains the leave of the adjudicator.

**Commencement Information**

- I5** Sch. 4 paras. 10-24 wholly in force at 2.10.2000 by S.I. 2000/2444, art. 2, Sch. 1 (subject to the transitional provisions in arts. 3, 4, Sch. 2)

- 15 If directions are given under Part I of Schedule 2 or Schedule 3 to the 1971 Act for a person's removal from the United Kingdom, and directions are also so given for the removal with him of persons belonging to his family, then if any of them appeals under section 59, 63, 66, 67 or 69(1) or (5), the appeal is to have the same effect under paragraphs 10 to 14 in relation to the directions given in respect of each of the others as it has in relation to the directions given in respect of the appellant.

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#### Commencement Information

- I6** Sch. 4 paras. 10-24 wholly in force at 2.10.2000 by S.I. 2000/2444, art. 2, Sch. 1 (subject to the transitional provisions in arts. 3, 4, Sch. 2)

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