
STATUTORY INSTRUMENTS

2000 No. 2244

**The Immigration and Asylum Appeals
(One-Stop Procedure) Regulations 2000**

One-stop procedure

The notice

3.—(1) A section 74 notice is to be in the form shown in Part I of the Schedule to these Regulations.

(2) A section 75 notice is to be in the form shown in Part II of the Schedule to these Regulations.

(3) The notice is to—

- (a) provide a postal address to which the statement may be returned by post;
- (b) provide an address to which the statement may be returned by hand;
- (c) provide a fax number which may be used to return the statement by fax; and
- (d) be accompanied by a copy of the statement form.

(4) The notice may be served—

- (a) by hand;
- (b) by fax; or
- (c) by sending it by postal service in which delivery or receipt is recorded to—
 - (i) the last known or usual place of abode of the requisite person or his representative; or
 - (ii) an address provided by him or his representative for correspondence.

(5) The notice may be served on the requisite person by serving it on his representative.

(6) If the notice is served by post, addressed to the requisite person, it is to be taken to have been received by the requisite person on the second day after the day on which it was posted, unless the contrary is proved.

The statement

4.—(1) The statement is to be made by completing in full, and in English, a statement form.

(2) The statement form must be signed by the requisite person or his representative.

(3) For the purposes of section 74(6)(b) (the period before the end of which a statement must be served in response to a section 74 notice)—

- (a) the period of ten days is prescribed, where the applicant is entitled to appeal under the Act;
- (b) the period of five days is prescribed, where the applicant is entitled to appeal under the 1997 Act.

(4) for the purposes of section 75(3)(b) (the period before the end of which the statement must be served in response to a section 75 notice), the period of ten days is prescribed.

(5) For the purposes of paragraphs (3) and (4)—

- (a) the prescribed period is to be calculated from the expiry of the day on which the notice was received by the requisite person or his representative; and
- (b) where the prescribed period—
 - (i) expires on an excluded day, the statement is to be taken to have been served as required if served on the next day that is not an excluded day;
 - (ii) includes an excluded day, that day is to be discounted.
- (6) The statement may be served—
 - (a) by hand;
 - (b) by post; or
 - (c) by fax;using the address or fax number specified in the notice.
- (7) The statement is to be taken to have been served as required on the day on which it is received at the address or fax number specified in the notice.
- (8) Unless paragraph (9) applies, where the requisite person is in custody, the statement may also be served by giving it to the person who has custody of the requisite person.
- (9) This paragraph applies where a section 74 notice has been served and the requisite person is entitled to appeal under the 1997 Act.
- (10) “Bank holiday” means a day that is specified in, or appointed under, the Banking and Financial Dealings Act 1971⁽¹⁾.
- (11) “Excluded day” means a Saturday, a Sunday, a bank holiday, Christmas Day, 27th to 31st December or Good Friday.

(1) 1971 c. 80.