
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules, which come into force on 11th August 2003, and have effect in relation to decision letters received on or after 11th August 2003, amend the Asylum Support Appeals (Procedure) Rules 2000 (“the 2000 Rules”) in a number of respects. Rule 3 amends rule 3(3) of the 2000 Rules to provide that the adjudicator must receive a notice of appeal not more than 3 days after the day on which the appellant received the decision letter.

Rule 4 amends rule 4(2) of the 2000 Rules with the effect that the Secretary of State must send an appeal bundle to the adjudicator 2 days after the day on which the adjudicator receives a notice of appeal.

Rule 5 amends rule 6(1) of the 2000 Rules to provide that, where there is an oral hearing, it must be held and the appeal determined not later than 5 days after consideration day. Rule 6 amends rule 6(2) to provide that, in all other cases, the appeal must be determined not later than 5 days after consideration day.

Rule 7 amends rule 13(1)(d) of the 2000 Rules. The effect is that the adjudicator must send a reasons statement to the appellant and to the Secretary of State 3 days after the date on which the appeal is determined.

Rule 8 substitutes a new notice of appeal form in the 2000 Rules. The new notice of appeal contains minor amendments to some of the questions and introduces boxes for appellants to tick when they are answering questions. It also makes it clear that a separate sheet may be inserted if required in order to specify the matters in the decision letter with which the appellant disagrees. A Guidance Note is inserted at the end of the notice of appeal: it gives practical information about the completion and return of the notice.