

2003 No. 1735

IMMIGRATION

**The Asylum Support Appeals (Procedure) (Amendment)
Rules 2003**

Made - - - - - *10th July 2003*

Laid before Parliament *15th July 2003*

Coming into force - - *11th August 2003*

The Secretary of State, in exercise of the powers conferred on him by sections 104 and 166(3) of the Immigration and Asylum Act 1999(a), after consultation with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992(b), and having regard to the desirability of securing, so far as reasonably practicable, that appeals are brought and disposed of with the minimum of delay, hereby makes the following Rules:

Citation and commencement

1.—(1) These Rules may be cited as the Asylum Support Appeals (Procedure) (Amendment) Rules 2003 and shall come into force on 11th August 2003.

(2) These Rules do not apply in relation to decision letters received by appellants before 11th August 2003.

Amendments to the Asylum Support Appeals (Procedure) Rules 2000

2. The Asylum Support Appeals (Procedure) Rules 2000(c) are amended as follows.
3. In rule 3(3), for “2 days”, substitute “3 days”.
4. In rule 4(2), for “On the day after the day”, substitute “2 days after the day”.
5. In rule 6(1), for “4 days”, substitute “not later than 5 days”.
6. In rule 6(2), for “4 days”, substitute “5 days”.
7. In rule 13(1)(d), for “2 days”, substitute “3 days”.
8. For the notice of appeal form in the Schedule, substitute the notice of appeal form in the Schedule to these Rules.

Home Office
10th July 2003

Beverley Hughes
Minister of State

(a) 1999 c. 33.
(b) 1992 c. 53.
(c) S.I. 2000/541.

Asylum Support Adjudicators

NOTICE OF APPEAL

Please see the Guidance Note at the end of this document for further information on completing this form.

Section one

Give your personal details

Full Name:

Date of Birth: Nationality:

Your NASS reference number:

Section two

Give an address in the United Kingdom where the Asylum Support Adjudicators can write to you:

.....
.....

Give a daytime fax or telephone number in the United Kingdom (if you have one) where the Asylum Support Adjudicators can contact you:

Section three

Give the date of the decision letter against which you are appealing:

Please attach a copy of that decision letter to this form.

Section four

Tick appropriate box

I want my appeal determined on the papers. Yes No

I want an oral hearing of my appeal. Yes No

I want to attend the oral hearing of my appeal. Yes No

If you want to attend the hearing, will you need an interpreter? Yes No

If so, in what language?.....

Are you to be represented in this appeal? Yes No

If so you must give full details of your representative: name and address, and telephone and fax numbers if available, together with any reference number the representative has given your case.

.....
.....

Will your representative attend any oral hearing of your appeal? Yes No

Section five

You must complete this section. Failure to do so may result in your appeal being treated as invalid.

What are the grounds of your appeal?

What matters in the decision letter do you disagree with?
(Please use a separate sheet if required.)

Signed: Date:
[Appellant/Representative]

Guidance Note

If you have further information which you would like the Adjudicators to take into account when making a decision about your appeal, you should send this together with copies of any documents with this form.

Please ensure that you complete all sections as fully as possible.

If you have requested an oral hearing, it is in your interests to attend.

You must include your grounds of appeal at section five or your appeal may be treated as invalid.

The Migrant Helpline may be able to help you in completing this form. You can contact them at:

Migrant Helpline
45 Friends Road
Croydon
Surrey CR0 1ED

Telephone number: (020) 8774 0002.

There may be a local office near you.

Return this form to:

Asylum Support Adjudicators
Christopher Wren House
113 High Street
Croydon CR0 1QG

You may also return this form by fax. The ASA's fax number is (020) 8688 6075.

The ASA freephone number for appellants who wish to discuss any aspect of the appeal process is (0800) 389 7913.

Further information about the ASA is available on www.asylum-support-adjudicators.org.uk.

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.

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