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STATUTORY INSTRUMENTS

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**2003 No. 801**

The Immigration and Asylum Appeals  
(Fast Track Procedure) Rules 2003

PART 1

INTRODUCTION

**Citation and commencement**

1. These Rules may be cited as the Immigration and Asylum Appeals (Fast Track Procedure) Rules 2003 and shall come into force on 10th April 2003.

**Interpretation**

2.—(1) In these Rules—

“the Principal Rules” means the Immigration and Asylum Appeals (Procedure) Rules 2003(1);

“appellant”, in relation to an appeal to an adjudicator has the same meaning as it is given in rule 5(2)(a) of the Principal Rules, and in relation to an appeal to the Tribunal has the same meaning as it is given in rule 14(2)(a) of the Principal Rules;

“respondent”, in relation to an appeal to an adjudicator has the same meaning as it is given in rule 5(2)(b) of the Principal Rules, and in relation to an appeal to the Tribunal has the same meaning as it is given in rule 14(2)(b) of the Principal Rules.

(2) Other words and expressions used in these Rules which are defined in rule 2 of the Principal Rules have the same meaning in these Rules as in the Principal Rules.

(3) Where a provision of the Principal Rules applies by virtue of these Rules—

(a) any reference in that provision to the Principal Rules is to be interpreted as including a reference to these Rules; and

(b) any reference in that provision to a specific Part or rule in the Principal Rules is to be interpreted as including a reference to any equivalent Part or rule in these Rules.

(4) For the purposes of rules 4, 9 and 15 of these Rules, a party does not cease to satisfy a condition that he must have continuously been in detention under the Immigration Acts at a place or places specified in the Schedule to these Rules by reason only of—

(a) being transported from one place of detention specified in the Schedule to another place which is so specified; or

(b) leaving and returning to such a place of detention for any purpose between the hours of 7 a.m. and 7 p.m.

### **Scope of these Rules**

**3.—(1)** The following Parts of these Rules apply to appeals and applications to an adjudicator or the Tribunal to the following extent—

- (a) Parts 2 and 5 apply to appeals to an adjudicator, in the circumstances specified in rule 4;
- (b) Parts 3 and 5 apply to appeals (including applications for permission to appeal) to the Tribunal against an adjudicator’s determination, in the circumstances specified in rule 9;
- (c) Parts 4 and 5 apply to applications to the Tribunal for permission to appeal to the Court of Appeal or the Court of Session, in the circumstances specified in rule 15; and
- (d) Part 6 applies to pending appeals and applications to which any of Parts 2, 3, 4 and 5 apply or have applied.

(2) In appeals and applications to which these Rules apply, the Principal Rules also apply, but only to the extent specified in rules 5, 10, 16 and 20 of these Rules.