



# Special Immigration Appeals Commission Act 1997

## 1997 CHAPTER 68

### **6 Appointment of person to represent the appellant's interests.**

- (1) The relevant law officer may appoint a person to represent the interests of an appellant in any proceedings before the Special Immigration Appeals Commission from which the appellant and any legal representative of his are excluded.
- (2) For the purposes of subsection (1) above, the relevant law officer is—
  - (a) in relation to proceedings before the Commission in England and Wales, the Attorney General,
  - (b) in relation to proceedings before the Commission in Scotland, the Lord Advocate, and
  - (c) in relation to proceedings before the Commission in Northern Ireland, the [F<sup>1</sup>Advocate General for Northern Ireland].
- (3) A person appointed under subsection (1) above—
  - (a) if appointed for the purposes of proceedings in England and Wales, shall have a general qualification for the purposes of section 71 of the <sup>M1</sup>Courts and Legal Services Act 1990,
  - (b) if appointed for the purposes of proceedings in Scotland, shall be—
    - (i) an advocate, or
    - (ii) a solicitor who has by virtue of section 25A of the <sup>M2</sup>Solicitors (Scotland) Act 1980 rights of audience in the Court of Session and the High Court of Justiciary, and
  - (c) if appointed for the purposes of proceedings in Northern Ireland, shall be a member of the Bar of Northern Ireland.
- (4) A person appointed under subsection (1) above shall not be responsible to the person whose interests he is appointed to represent.

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**Changes to legislation:** Special Immigration Appeals Commission Act 1997, Section 6 is up to date with all changes known to be in force on or before 21 September 2023. 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) [View outstanding changes](#)

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### Textual Amendments

- F1** Words in s. 6(2)(c) substituted (12.4.2010 being the date that 2002 c. 26, s. 27 comes into force, see S.I. 2010/113, art. 2, Sch. para. 7) by [Counter-Terrorism Act 2008 \(c. 28\)](#), [s. 91\(2\)\(3\)](#) (with s. 101(2))

### Modifications etc. (not altering text)

- C1** S. 6: functions transferred (6.5.1999) by S.I. 1999/901, art. 5, [Sch.](#) (with arts. 8, 9)  
S. 6 applied (14.12.2001) by [2001 c. 24](#), [s. 27\(1\)\(a\)](#)
- C2** Ss. 5, 6 applied by 2002 c. 41, s. 97A(2K) (as inserted (25.6.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), [ss. 54\(4\)](#), [61\(2\)](#); S.I. 2013/1042, art. 4(c))
- C3** S. 6 applied (31.1.2020) by [The Immigration \(Citizens Rights Appeals\) \(EU Exit\) Regulations 2020 \(S.I. 2020/61\)](#), regs. [1\(2\)](#), [15\(11\)](#)

### Marginal Citations

- M1** [1990 c. 41](#).
- M2** [1980 c. 46](#).

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2AA2AB inserted by [2023 c. 37 s. 53\(5\)](#)
- s. 5(10)-(13) inserted by [2023 c. 37 s. 53\(7\)\(c\)](#)