



Anti-terrorism, Crime and Security Act 2001

2001 CHAPTER 24

PART 4

IMMIGRATION AND ASYLUM

Suspected international terrorists

26 Certification: review

- (1) The Special Immigration Appeals Commission must hold a first review of each certificate issued under section 21 as soon as is reasonably practicable after the expiry of the period of six months beginning with the date on which the certificate is issued.
- (2) But—
 - (a) in a case where before the first review would fall to be held in accordance with subsection (1) an appeal under section 25 is commenced (whether or not it is finally determined before that time) or leave to appeal is given under section 25(5)(b), the first review shall be held as soon as is reasonably practicable after the expiry of the period of six months beginning with the date on which the appeal is finally determined, and
 - (b) in a case where an application for leave under section 25(5)(b) has been commenced but not determined at the time when the first review would fall to be held in accordance with subsection (1), if leave is granted the first review shall be held as soon as is reasonably practicable after the expiry of the period of six months beginning with the date on which the appeal is finally determined.
- (3) The Commission must review each certificate issued under section 21 as soon as is reasonably practicable after the expiry of the period of three months beginning with the date on which the first review or a review under this subsection is finally determined.

Status: This is the original version (as it was originally enacted).

- (4) The Commission may review a certificate during a period mentioned in subsection (1), (2) or (3) if—
 - (a) the person certified applies for a review, and
 - (b) the Commission considers that a review should be held because of a change in circumstance.
- (5) On a review the Commission—
 - (a) must cancel the certificate if it considers that there are no reasonable grounds for a belief or suspicion of the kind referred to in section 21(1)(a) or (b), and
 - (b) otherwise, may not make any order (save as to leave to appeal).
- (6) A certificate cancelled by order of the Commission under subsection (5) ceases to have effect at the end of the day on which the order is made.
- (7) Where the Commission reviews a certificate under subsection (4), the period for determining the next review of the certificate under subsection (3) shall begin with the date of the final determination of the review under subsection (4).