

Status: Point in time view as at 20/10/2014.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Part 1 is up to date with all changes known to be in force on or before 19 June 2024. 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)

SCHEDULES

SCHEDULE 3

REMOVAL OF ASYLUM SEEKER TO SAFE COUNTRY

PART 1

INTRODUCTORY

1 (1) In this Schedule—

“asylum claim” means a claim by a person that to remove him from or require him to leave the United Kingdom would breach the United Kingdom’s obligations under the Refugee Convention,

“Convention rights” means the rights identified as Convention rights by section 1 of the Human Rights Act 1998 (c. 42) (whether or not in relation to a State that is a party to the Convention),

“human rights claim” means a claim by a person that to remove him from or require him to leave the United Kingdom would be unlawful under section 6 of the Human Rights Act 1998 (public authority not to act contrary to Convention) as being incompatible with his Convention rights,

“immigration appeal” means an appeal under section 82(1) of the Nationality, Immigration and Asylum Act 2002 (c. 41) (appeal against immigration decision), and

“the Refugee Convention” means the Convention relating to the Status of Refugees done at Geneva on 28th July 1951 and its Protocol.

(2) In this Schedule a reference to anything being done in accordance with the Refugee Convention is a reference to the thing being done in accordance with the principles of the Convention, whether or not by a signatory to it.

[^{F1}(3) Section 92 of the Nationality, Immigration and Asylum Act 2002 makes further provision about the place from which an appeal relating to an asylum or human rights claim may be brought or continued.]

Textual Amendments

- F1** Sch. 3 para. 1(3) inserted (20.10.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 9 para. 56\(2\)](#); [S.I. 2014/2771](#), art. 2(e) (with arts. 9-11) (as amended (2.3.2015 and 6.4.2015) by [S.I. 2015/371](#), arts. 1(2)(3), 7, 8; and with transitional provisions and savings in [S.I. 2014/2928](#), art. 2 (which S.I. is revoked (6.4.2015) by [S.I. 2015/371](#), arts. 1(3), 9))

Commencement Information

- I1** Sch. 3 para. 1 in force at 1.10.2004 by [S.I. 2004/2523](#), art. 2, [Sch.](#)

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