

Status: Point in time view as at 01/03/2007.

Changes to legislation: *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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 1

Section 26

NEW SCHEDULE 4 TO THE NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

Commencement Information

II Sch. 1 in force at 4.4.2005 by S.I. 2005/565, art. 2(c) (with arts. 3-9)

“SCHEDULE 4

THE ASYLUM AND IMMIGRATION TRIBUNAL

Membership

- 1 The Lord Chancellor shall appoint the members of the Asylum and Immigration Tribunal.
- 2 (1) A person is eligible for appointment as a member of the Tribunal only if he—
 - (a) has a seven year general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990 (c. 41),
 - (b) is an advocate or solicitor in Scotland of at least seven years' standing,
 - (c) is a member of the Bar of Northern Ireland, or a solicitor of the Supreme Court of Northern Ireland, of at least seven years' standing,
 - (d) in the Lord Chancellor's opinion, has legal experience which makes him as suitable for appointment as if he satisfied paragraph (a), (b) or (c), or
 - (e) in the Lord Chancellor's opinion, has non-legal experience which makes him suitable for appointment.

(2) A person appointed under sub-paragraph (1)(a) to (d) shall be known as a legally qualified member of the Tribunal.
- 3 (1) A member—
 - (a) may resign by notice in writing to the Lord Chancellor,
 - (b) shall cease to be a member on reaching the age of 70, and
 - (c) otherwise, shall hold and vacate office in accordance with the terms of his appointment (which may include provision—
 - (i) about the training, appraisal and mentoring of members of the Tribunal by other members, and
 - (ii) for removal).

(2) Sub-paragraph (1)(b) is subject to section 26(4) to (6) of the Judicial Pensions and Retirement Act 1993 (c. 8) (extension to age 75).

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- 4 The Lord Chancellor may by order make provision for the title of members of the Tribunal.

Presidency

- 5 (1) The Lord Chancellor shall appoint—
- (a) a member of the Tribunal, who holds or has held high judicial office within the meaning of the Appellate Jurisdiction Act 1876 (c. 59), as President of the Tribunal, and
 - (b) one or more members of the Tribunal as Deputy President.
- (2) A Deputy President—
- (a) may act for the President if the President is unable to act or unavailable, and
 - (b) shall perform such functions as the President may delegate or assign to him.

Proceedings

- 6 The Tribunal shall sit at times and places determined by the Lord Chancellor.
- 7 (1) The jurisdiction of the Tribunal shall be exercised by such number of its members as the President, having regard to the complexity and other circumstances of particular cases or classes of case, may direct.
- (2) A direction under this paragraph—
- (a) may relate to the whole or part of specified proceedings or to the whole or part of proceedings of a specified kind,
 - (b) may enable jurisdiction to be exercised by a single member,
 - (c) may require or permit the transfer of the whole or part of proceedings—
 - (i) from one member to another,
 - (ii) from one group of members to another,
 - (iii) from one member to a group of members, or
 - (iv) from a group of members to one member,
 - (d) may be varied or revoked by a further direction, and
 - (e) is subject to rules under section 106.
- 8 (1) The President may make arrangements for the allocation of proceedings to members of the Tribunal.
- (2) Arrangements under this paragraph—
- (a) may permit allocation by the President or another member of the Tribunal,
 - (b) may permit the allocation of a case to a specified member or to a specified class of member,
 - (c) may include provision for transfer, and
 - (d) are subject to rules under section 106.

Staff

- 9 The Lord Chancellor may appoint staff for the Tribunal.

Money

- 10 The Lord Chancellor—

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- (a) may pay remuneration and allowances to members of the Tribunal,
 - (b) may pay remuneration and allowances to staff of the Tribunal, and
 - (c) may defray expenses of the Tribunal.
- 11 The Lord Chancellor may pay compensation to a person who ceases to be a member of the Tribunal if the Lord Chancellor thinks it appropriate because of special circumstances.”

SCHEDULE 2

Section 26

ASYLUM AND IMMIGRATION TRIBUNAL: CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISION

PART 1

CONSEQUENTIAL AMENDMENTS

Immigration Act 1971 (c. 77)

- 1 (1) Schedule 2 to the Immigration Act 1971 (control on entry) shall be amended as follows.
- (2) In the following provisions for “adjudicator” (or “an adjudicator” or “the adjudicator”) substitute “ the Asylum and Immigration Tribunal ”
- (a) paragraph 22(1A), (2) and (3),
 - (b) paragraph 23(1) and (2),
 - (c) paragraph 24(2), and
 - (d) paragraph 25.
- (3) In paragraph 24(3) for “An adjudicator, justice of the peace or sheriff before whom a person is brought by virtue of sub-paragraph (2)(a) above” substitute “ Where a person is brought before the Asylum and Immigration Tribunal, a justice of the peace or the sheriff by virtue of sub-paragraph (2)(a), the Tribunal, justice of the peace or sheriff ”.
- (4) In paragraph 29—
- (a) in sub-paragraph (2) for “an adjudicator or the Immigration Appeal Tribunal” substitute “ the Asylum and Immigration Tribunal ”,
 - (b) in sub-paragraph (3)—
 - (i) for “An adjudicator” substitute “ The Asylum and Immigration Tribunal ”,
 - (ii) for “that or any other adjudicator” substitute “ the Tribunal ”,
 - (iii) omit the words from “and where an adjudicator dismisses” to the end,
 - (c) omit sub-paragraph (4), and
 - (d) in sub-paragraph (6)—
 - (i) for “an adjudicator or the Tribunal” substitute “ the Asylum and Immigration Tribunal ”,
 - (ii) for “the adjudicator or Tribunal” substitute “ the Tribunal ”, and

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(iii) for “the adjudicator or the Tribunal” substitute “ the Tribunal ”.

(5) In paragraphs 30, 31, 32 and 33—

- (a) for “an adjudicator and the Tribunal” substitute “ the Tribunal ”,
- (b) for “an adjudicator or the Tribunal” substitute “ the Tribunal ”,
- (c) for “the adjudicator or the Tribunal, as the case may be” substitute “ the Tribunal ”,
- (d) for “the adjudicator or Tribunal” substitute “ the Tribunal ”,
- (e) for “the adjudicator or the Tribunal” substitute “ the Tribunal ”,
- (f) for “an adjudicator or Tribunal” substitute “ the Tribunal ”, and
- (g) for “before an adjudicator or before the Tribunal” substitute “ before the Tribunal ”.

(6) In paragraph 33—

- (a) in sub-paragraph (2)(a) for “before an adjudicator” substitute “ before the Tribunal ”,
- (b) in sub-paragraph (2)(b) for “before that adjudicator or before the Tribunal, as the case may be” substitute “ before it ”, and
- (c) in sub-paragraph (3) for “An adjudicator, justice of the peace or sheriff before whom a person is brought by virtue of sub-paragraph (2)(a) above” substitute “ Where a person is brought before the Asylum and Immigration Tribunal, a justice of the peace or the sheriff by virtue of sub-paragraph (2)(a), the Tribunal, justice of the peace or sheriff ”.

Commencement Information

I2 Sch. 2 para. 1 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

House of Commons Disqualification Act 1975 (c. 24)

- 2 (1) Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices) shall be amended as follows.
- (2) In Part II for the entry relating to the Immigration Appeal Tribunal substitute— “ The Asylum and Immigration Tribunal. ”
- (3) In Part III omit the entry relating to immigration adjudicators.

Commencement Information

I3 Sch. 2 para. 2 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 3 (1) Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (disqualifying offices) shall be amended as follows.
- (2) In Part II for the entry relating to the Immigration Appeal Tribunal substitute— “ The Asylum and Immigration Tribunal. ”
- (3) In Part III omit the entry relating to immigration adjudicators.

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Commencement Information

I4 Sch. 2 para. 3 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

British Nationality Act 1981 (c. 61)

- 4 In section 40A of the British Nationality Act 1981 (deprivation of citizenship: appeal)—
- (a) in subsection (1) for “an adjudicator appointed under section 81 of the Nationality, Immigration and Asylum Act 2002 (immigration appeal)” substitute “ the Asylum and Immigration Tribunal ”,
 - (b) for subsections (3) to (5) substitute—
 - “(3) The following provisions of the Nationality, Immigration and Asylum Act 2002 (c. 41) shall apply in relation to an appeal under this section as they apply in relation to an appeal under section 82 or 83 of that Act—
 - (a) section 87 (successful appeal: direction) (for which purpose a direction may, in particular, provide for an order under section 40 above to be treated as having had no effect),
 - (b) sections 103A to 103E (review and appeal),
 - (c) section 106 (rules), and
 - (d) section 107 (practice directions).”, and
 - (c) omit subsections (6) to (8).

Commencement Information

I5 Sch. 2 para. 4 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))

- 5 (1) For paragraph 6A of Part 1 of Schedule 1 to the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (proceedings for which legal aid may be given under Part II of that Order) substitute—
- “6A Proceedings before the Asylum and Immigration Tribunal or the Special Immigration Appeals Commission.”
- (2) The amendment made by sub-paragraph (1) is without prejudice to any power to amend or revoke the provision inserted by that sub-paragraph.

Commencement Information

I6 Sch. 2 para. 5 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Courts and Legal Services Act 1990 (c. 41)

- 6 In Schedule 11 to the Courts and Legal Services Act 1990 (judges barred from legal practice) for the entries relating to the Immigration Appeal Tribunal and

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immigration adjudicators substitute— “ President or other member of the Asylum and Immigration Tribunal ”.

Commencement Information

I7 Sch. 2 para. 6 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Tribunals and Inquiries Act 1992 (c. 53)

- 7 (1) The Tribunals and Inquiries Act 1992 shall be amended as follows.
- (2) In section 7 (dismissal) omit subsection (3).
- (3) In Schedule 1 (tribunals under supervision of Council) for the entry for immigration appeals substitute—

“Immigration and asylum

22. The Asylum and Immigration Tribunal constituted under section 81 of the Nationality, Immigration and Asylum Act 2002.”

Commencement Information

I8 Sch. 2 para. 7 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 8 (1) The Judicial Pensions and Retirement Act 1993 shall be amended as follows.
- (2) In Schedule 1 (qualifying judicial offices) for the entries relating to the Immigration Appeal Tribunal and immigration adjudicators substitute (in the place occupied by the first of those entries)— “President or other member of the Asylum and Immigration Tribunal ”.
- (3) In Schedule 5 (retirement: relevant offices) for the entries relating to the Immigration Appeal Tribunal and immigration adjudicators substitute— “ President or other member of the Asylum and Immigration Tribunal ”.

Commencement Information

I9 Sch. 2 para. 8 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Asylum and Immigration Appeals Act 1993 (c. 23)

- 9 Section 9A of the Asylum and Immigration Appeals Act 1993 (bail) shall cease to have effect.

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Commencement Information

I10 Sch. 2 para. 9 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Special Immigration Appeals Commission Act 1997 (c. 68)

10 The Special Immigration Appeals Commission Act 1997 shall be amended as follows.

Commencement Information

I11 Sch. 2 para. 10 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

11 At the end of section 2B (deprivation of citizenship) insert “ (and section 40A(3) (a) shall have effect in relation to appeals under this section). ”

Commencement Information

I12 Sch. 2 para. 11 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

12 (1) In Schedule 1 (constitution, &c.) for paragraph 5(b) substitute—
“(b) at least one is or has been a legally qualified member of the Asylum and Immigration Tribunal.”
(2) A person is qualified for the purposes of paragraph 5(b) of that Schedule as it has effect after the commencement of sub-paragraph (1) above if he is qualified for the purposes of paragraph 5(b) as it had effect at any time since its commencement.

Commencement Information

I13 Sch. 2 para. 12 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

13 (1) Schedule 3 (bail) shall be amended as follows.
(2) In paragraph 1(2) for “ “adjudicator” ” substitute
(3) In paragraph 1(3)(a) for “adjudicator” substitute “ the Asylum and Immigration Tribunal ”.
(4) In paragraph 1(3)(b) for “adjudicator” substitute “ the Asylum and Immigration Tribunal ”.
(5) In paragraph 1(4)(a) and (b) for “adjudicator” substitute “ the Asylum and Immigration Tribunal ”.
(6) In paragraph 2(2)(a) for “ “an adjudicator” ” substitute
(7) In paragraph 2(2)(b) for “ “the adjudicator” ” substitute
(8) In paragraph 2(3)(a) for “ “an adjudicator” ” substitute

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- (9) In paragraph 2(3)(b) for “ “the adjudicator”” substitute
- (10) In paragraph 6(2)(a) for “ “an adjudicator or the Tribunal”” substitute
- (11) In paragraph 6(2)(b) for “ “the adjudicator or the Tribunal, as the case may be,”” substitute
- (12) In paragraph 6(2)(c) for “ “the adjudicator or Tribunal”” substitute
- (13) In paragraph 6(3)(a) for “ “an adjudicator or the Tribunal”” substitute
- (14) In paragraph 6(3)(b) for “ “the adjudicator or Tribunal”” substitute
- (15) In paragraph 7(a) for “ “an adjudicator or the Tribunal”” substitute
- (16) In paragraph 7(b) for “ “the adjudicator or Tribunal”” substitute
- (17) In paragraph 7(c) for “ “the adjudicator or the Tribunal”” substitute

Commencement Information

I14 Sch. 2 para. 13 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Access to Justice Act 1999 (c. 22)

- 14 For paragraph 2(1)(h) of Schedule 2 to the Access to Justice Act 1999 (Community Legal Service: excluded services) substitute—
 “(h) the Asylum and Immigration Tribunal;”.

Commencement Information

I15 Sch. 2 para. 14 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Immigration and Asylum Act 1999 (c. 33)

- 15 In section 156(3) of the Immigration and Asylum Act 1999 (escorts and custody) for paragraphs (a) and (b) substitute—
 “(a) the Asylum and Immigration Tribunal;”.

Commencement Information

I16 Sch. 2 para. 15 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

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Nationality, Immigration and Asylum Act 2002 (c. 41)

16 The Nationality, Immigration and Asylum Act 2002 shall be amended as follows.

Commencement Information

I17 Sch. 2 para. 16 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

17 In section 72(10)(serious criminal) omit “adjudicator,”.

Commencement Information

I18 Sch. 2 para. 17 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 18 (1) In the provisions listed in sub-paragraph (2)—
- (a) for “an adjudicator” substitute “ the Tribunal ”,
 - (b) for “the adjudicator” substitute “ the Tribunal ”,
 - (c) for “he” in relation to an adjudicator substitute “ it ”,
 - (d) for “him” in relation to an adjudicator substitute “ it ”, and
 - (e) for “his” in relation to an adjudicator substitute “ its ”.
- (2) The provisions are—
- (a) section 85 (matters to be considered),
 - (b) section 86 (determination of appeal), and
 - (c) section 87 (successful appeal: direction).

Commencement Information

I19 Sch. 2 para. 18 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 19 In section 87—
- (a) for subsection (3) substitute—
 - “(3) But a direction under this section shall not have effect while—
 - (a) an application under section 103A(1) (other than an application out of time with permission) could be made or is awaiting determination,
 - (b) reconsideration of an appeal has been ordered under section 103A(1) and has not been completed,
 - (c) an appeal has been remitted to the Tribunal and is awaiting determination,
 - (d) an application under section 103B or 103E for permission to appeal (other than an application out of time with permission) could be made or is awaiting determination,
 - (e) an appeal under section 103B or 103E is awaiting determination, or
 - (f) a reference under section 103C is awaiting determination.”, and

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- (b) in subsection (4) for “as part of the determination of the appeal for the purposes of section 101” substitute “ as part of the Tribunal’s decision on the appeal for the purposes of section 103A ”.

Commencement Information

I20 Sch. 2 para. 19 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 20 In section 104 (pending appeal)—
- (a) for subsection (2) substitute—
- “(2) An appeal under section 82(1) is not finally determined for the purposes of subsection (1)(b) while —
- (a) an application under section 103A(1) (other than an application out of time with permission) could be made or is awaiting determination,
- (b) reconsideration of an appeal has been ordered under section 103A(1) and has not been completed,
- (c) an appeal has been remitted to the Tribunal and is awaiting determination,
- (d) an application under section 103B or 103E for permission to appeal (other than an application out of time with permission) could be made or is awaiting determination,
- (e) an appeal under section 103B or 103E is awaiting determination, or
- (f) a reference under section 103C is awaiting determination.”, and
- (b) omit subsection (3)(remittal to adjudicator).

Commencement Information

I21 Sch. 2 para. 20 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 21 In section 106 (rules)—
- (a) in subsection (1)(a) for “, 83 or 101” substitute “ or 83 or by virtue of section 109 ”,
- (b) in subsection (1)(b) for “, 83, 101(1) or 103” substitute “ or 83 or by virtue of section 109 ”,
- (c) after subsection (1) insert—
- “(1A) In making rules under subsection (1) the Lord Chancellor shall aim to ensure—
- (a) that the rules are designed to ensure that proceedings before the Tribunal are handled as fairly, quickly and efficiently as possible, and
- (b) that the rules where appropriate confer on members of the Tribunal responsibility for ensuring that proceedings before the Tribunal are handled as fairly, quickly and efficiently as possible.”,

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- (d) in subsection (2)(d) for “an adjudicator or the Immigration Appeal Tribunal” substitute “ the Tribunal ”,
- (e) in subsection (2)(e) and (f) omit “an adjudicator or”,
- (f) in subsection (2)(g) for “an adjudicator” substitute, in each place, “ the Tribunal ”,
- (g) in subsection (2)(h) for “an adjudicator” substitute, in each place, “ the Tribunal ”,
- (h) omit subsection (2)(j) and (k),
- (i) in subsection (2)(m) omit the words from “(which may” to the end,
- (j) in subsection (2)(o) omit “an adjudicator or”,
- (k) in subsection (2)(p) omit “an adjudicator or”,
- (l) in subsection (2)(q) omit “an adjudicator or”,
- (m) in subsection (2)(r) omit “an adjudicator or”,
- (n) in subsection (2)(s) omit “an adjudicator or”,
- (o) after subsection (2)(s) insert—
 - “(t) may make provision about the number of members exercising the Tribunal’s jurisdiction;
 - (u) may make provision about the allocation of proceedings among members of the Tribunal (which may include provision for transfer);
 - (v) may make provision about reconsideration of a decision pursuant to an order under section 103A(1) (which may, in particular, include provision about the action that may be taken on reconsideration and about the matters and evidence to which the Tribunal may have regard);
 - (w) shall provide that a party to an appeal is to be treated as having received notice of the Tribunal’s decision, unless the contrary is shown, at such time as may be specified in, or determined in accordance with, the rules;
 - (x) may make provision about proceedings under paragraph 30 of Schedule 2 to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (transitional filter of applications for reconsideration from High Court to Tribunal) (and may, in particular, make provision of a kind that may be made by rules of court under section 103A(5) (b));
 - (y) may make provision about the form and content of decisions of the Tribunal.”,
- (p) in subsection (3)(a) omit “an adjudicator or”,
- (q) in subsection (3)(d) omit “an adjudicator or”,
- (r) in subsection (3)(e) omit “an adjudicator or”,
- (s) for subsection (3)(f) substitute—
 - “(f) may enable the Tribunal to certify that an appeal had no merit (and shall make provision for the consequences of the issue of a certificate).” and
- (t) in subsection (4) omit “an adjudicator or”.

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Commencement Information

I22 Sch. 2 para. 21 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 22 (1) In section 107 (practice directions)—
- (a) for “the Immigration Appeal Tribunal” substitute “ the Tribunal ”,
 - (b) omit subsection (2), and
 - (c) at the end add—
 - “(3) A practice direction may, in particular, require the Tribunal to treat a specified decision of the Tribunal as authoritative in respect of a particular matter.”
- (2) The reference to a decision of the Tribunal in section 107(3) (as added by subparagraph (1) above) shall be treated as including a reference to a decision of the Immigration Appeal Tribunal.

Commencement Information

I23 Sch. 2 para. 22 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 23 In section 108 (forged document: proceedings in private)—
- (a) in subsection (1)(a) for “, 83 or 101” substitute “ or 83 ”, and
 - (b) in subsection (2) for “The adjudicator or the Immigration Appeal Tribunal” substitute “ The Tribunal ”.

Commencement Information

I24 Sch. 2 para. 23 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 24 (1) Section 112 (regulations, &c.) shall be amended as follows.
- (2) In subsection (2) after “Regulations and rules under this Part” insert “ , other than regulations under section 103D(4), ”.
 - (3) For subsection (6) substitute—
 - “(6) Regulations under section 103D(4)—
 - (a) must be made by statutory instrument, and
 - (b) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.
 - (7) An order under paragraph 4 of Schedule 4—
 - (a) may include consequential or incidental provision (which may include provision amending, or providing for the construction of, a reference in an enactment, instrument or other document to a member of the Asylum and Immigration Tribunal),
 - (b) must be made by statutory instrument, and
 - (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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Commencement Information

I25 Sch. 2 para. 24 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))

- 25 (1) For paragraph 2(i) of Schedule 2 to the Access to Justice (Northern Ireland) Order 2003 (civil legal services: excluded services) substitute—
- “(i) proceedings before the Asylum and Immigration Tribunal or the Special Immigration Appeals Commission,”.
- (2) The amendment made by sub-paragraph (1) is without prejudice to any power to amend or revoke the provision inserted by that sub-paragraph.

Commencement Information

I26 Sch. 2 para. 25 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

PART 2

TRANSITIONAL PROVISION

- 26 In this Part “commencement” means the coming into force of section 26.

Commencement Information

I27 Sch. 2 para. 26 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 27 A person who immediately before commencement is, or is to be treated as, an adjudicator appointed under section 81 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (appeals) (as it has effect before commencement) shall be treated as having been appointed as a member of the Asylum and Immigration Tribunal under paragraph 1 of Schedule 4 to that Act (as it has effect after commencement) immediately after commencement.

Commencement Information

I28 Sch. 2 para. 27 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 28 Where immediately before commencement a person is a member of the Immigration Appeal Tribunal—
- (a) he shall be treated as having been appointed as a member of the Asylum and Immigration Tribunal under paragraph 1 of Schedule 4 to that Act immediately after commencement, and
- (b) if he was a legally qualified member of the Immigration Appeal Tribunal (within the meaning of Schedule 5 to that Act) he shall be treated as having been appointed as a legally qualified member of the Asylum and Immigration Tribunal.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

Commencement Information

I29 Sch. 2 para. 28 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 29 A person who immediately before commencement is a member of staff of adjudicators appointed or treated as appointed under section 81 of the Nationality, Immigration and Asylum Act 2002 (c. 41) or of the Immigration Appeal Tribunal shall be treated as having been appointed as a member of the staff of the Asylum and Immigration Tribunal under paragraph 9 of Schedule 4 to the Nationality, Immigration and Asylum Act 2002 immediately after commencement.

Commencement Information

I30 Sch. 2 para. 29 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

- 30 (1) This paragraph shall have effect in relation to applications under section 103A(1) or for permission under section 103A(4)(b) made—
- (a) during the period beginning with commencement and ending with such date as may be appointed by order of the Lord Chancellor, and
 - (b) during any such later period as may be appointed by order of the Lord Chancellor.
- (2) An application in relation to which this paragraph has effect shall be considered by a member of the Asylum and Immigration Tribunal (in accordance with arrangements under paragraph 8(1) of Schedule 4 to the Nationality, Immigration and Asylum Act 2002 (inserted by Schedule 1 above)).
- (3) For the purposes of sub-paragraph (2)—
- (a) references in section 103A to the appropriate court shall be taken as references to the member of the Tribunal who is considering the application or who is to consider the application,
 - (b) rules of court made for the purpose of section 103A(4)(a) in relation to the court to which an application is made shall have effect in relation to the application despite the fact that it is considered outside the appropriate court, and
 - (c) section 103A(6) shall be subject to sub-paragraph (5) below.
- (4) Where a member of the Tribunal considers an application under section 103A(1) or 103A(4)(b) by virtue of this paragraph—
- (a) he may make an order under section 103A(1) or grant permission under section 103A(4)(b), and
 - (b) if he does not propose to make an order or grant permission, he shall notify the appropriate court and the applicant.
- (5) Where notice is given under sub-paragraph (4)(b)—
- (a) the applicant may notify the appropriate court that he wishes the court to consider his application under section 103A(1) or 103A(4)(b),
 - (b) the notification must be given within the period of 5 days beginning with the date on which the applicant is treated, in accordance with rules under section 106 of the Nationality, Immigration and Asylum Act 2002, as receiving the notice under sub-paragraph (4)(b) above, and

Status: Point in time view as at 01/03/2007.

Changes to legislation: *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)*

- (c) the appropriate court shall consider the application under section 103A(1) or 103A(4)(b) if—
 - (i) the applicant has given notice in accordance with paragraphs (a) and (b) above, or
 - (ii) the applicant has given notice under paragraph (a) above outside the period specified in paragraph (b) above, but the appropriate court concludes that the application should be considered on the grounds that the notice could not reasonably practicably have been given within that period.
- (6) Rules of court may specify days to be disregarded in applying sub-paragraph (5)(b).
- (7) A member of the Tribunal considering an application under section 103A(1) by virtue of this paragraph may not make a reference under section 103C.
- (8) An order under sub-paragraph (1)(a) or (b)—
 - (a) shall be made by statutory instrument,
 - (b) shall not be made unless the Lord Chancellor has consulted such persons as he thinks appropriate, and
 - (c) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

Commencement Information

I31 Sch. 2 para. 30 in force at 4.4.2005 by S.I. 2005/565, art. 2(d) (with arts. 3-9)

SCHEDULE 3

Section 33

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

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

“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.

Commencement Information

I32 Sch. 3 para. 1 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

PART 2

FIRST LIST OF SAFE COUNTRIES (REFUGEE CONVENTION AND HUMAN RIGHTS (1))

- 2 This Part applies to—
- (a) Austria,
 - (b) Belgium,
 - [^{F1}(ba) Bulgaria,]
 - (c) Republic of Cyprus,
 - (d) Czech Republic,
 - (e) Denmark,
 - (f) Estonia,
 - (g) Finland,
 - (h) France,
 - (i) Germany,
 - (j) Greece,
 - (k) Hungary,
 - (l) Iceland,
 - (m) Ireland,
 - (n) Italy,
 - (o) Latvia,
 - (p) Lithuania,
 - (q) Luxembourg,
 - (r) Malta,
 - (s) Netherlands,
 - (t) Norway,
 - (u) Poland,
 - (v) Portugal,
 - [^{F2}(va) Romania,]
 - (w) Slovak Republic,
 - (x) Slovenia,
 - (y) Spain, and
 - (z) Sweden.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

Textual Amendments

- F1** Sch. 3 para. 2(ba) inserted (with effect in accordance with art. 1(3) of the commencing S.I.) by [Asylum \(First List of Safe Countries\) \(Amendment\) Order 2006 \(S.I. 2006/3393\)](#), arts. 1(2), **2(2)**
- F2** Sch. 3 para. 2(va) inserted (with effect in accordance with art. 1(3) of the commencing S.I.) by [Asylum \(First List of Safe Countries\) \(Amendment\) Order 2006 \(S.I. 2006/3393\)](#), arts. 1(2), **2(3)**

Commencement Information

- I33** Sch. 3 para. 2 in force at 1.10.2004 by [S.I. 2004/2523](#), art. 2, **Sch.**

- 3 (1) This paragraph applies for the purposes of the determination by any person, tribunal or court whether a person who has made an asylum claim or a human rights claim may be removed—
- (a) from the United Kingdom, and
 - (b) to a State of which he is not a national or citizen.
- (2) A State to which this Part applies shall be treated, in so far as relevant to the question mentioned in sub-paragraph (1), as a place—
- (a) where a person's life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion,
 - (b) from which a person will not be sent to another State in contravention of his Convention rights, and
 - (c) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

- I34** Sch. 3 para. 3 in force at 1.10.2004 by [S.I. 2004/2523](#), art. 2, **Sch.**

- 4 Section 77 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (no removal while claim for asylum pending) shall not prevent a person who has made a claim for asylum from being removed—
- (a) from the United Kingdom, and
 - (b) to a State to which this Part applies;
- provided that the Secretary of State certifies that in his opinion the person is not a national or citizen of the State.

Commencement Information

- I35** Sch. 3 para. 4 in force at 1.10.2004 by [S.I. 2004/2523](#), art. 2, **Sch.**

- 5 (1) This paragraph applies where the Secretary of State certifies that—
- (a) it is proposed to remove a person to a State to which this Part applies, and
 - (b) in the Secretary of State's opinion the person is not a national or citizen of the State.
- (2) The person may not bring an immigration appeal by virtue of section 92(2) or (3) of that Act (appeal from within United Kingdom: general).

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

- (3) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act (appeal from within United Kingdom: asylum or human rights) in reliance on—
- (a) an asylum claim which asserts that to remove the person to a specified State to which this Part applies would breach the United Kingdom’s obligations under the Refugee Convention, or
 - (b) a human rights claim in so far as it asserts that to remove the person to a specified State to which this Part applies would be unlawful under section 6 of the Human Rights Act 1998 because of the possibility of removal from that State to another State.
- (4) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act in reliance on a human rights claim to which this sub-paragraph applies if the Secretary of State certifies that the claim is clearly unfounded; and the Secretary of State shall certify a human rights claim to which this sub-paragraph applies unless satisfied that the claim is not clearly unfounded.
- (5) Sub-paragraph (4) applies to a human rights claim if, or in so far as, it asserts a matter other than that specified in sub-paragraph (3)(b).

Commencement Information

I36 Sch. 3 para. 5 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 6 A person who is outside the United Kingdom may not bring an immigration appeal on any ground that is inconsistent with treating a State to which this Part applies as a place—
- (a) where a person’s life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion,
 - (b) from which a person will not be sent to another State in contravention of his Convention rights, and
 - (c) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I37 Sch. 3 para. 6 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

PART 3

SECOND LIST OF SAFE COUNTRIES (REFUGEE CONVENTION AND HUMAN RIGHTS (2))

- 7 (1) This Part applies to such States as the Secretary of State may by order specify.
- (2) An order under this paragraph—
- (a) shall be made by statutory instrument, and
 - (b) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

Commencement Information

I38 Sch. 3 para. 7 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 8 (1) This paragraph applies for the purposes of the determination by any person, tribunal or court whether a person who has made an asylum claim may be removed—
- (a) from the United Kingdom, and
 - (b) to a State of which he is not a national or citizen.
- (2) A State to which this Part applies shall be treated, in so far as relevant to the question mentioned in sub-paragraph (1), as a place—
- (a) where a person's life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion, and
 - (b) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I39 Sch. 3 para. 8 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 9 Section 77 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (no removal while claim for asylum pending) shall not prevent a person who has made a claim for asylum from being removed—
- (a) from the United Kingdom, and
 - (b) to a State to which this Part applies;
- provided that the Secretary of State certifies that in his opinion the person is not a national or citizen of the State.

Commencement Information

I40 Sch. 3 para. 9 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 10 (1) This paragraph applies where the Secretary of State certifies that—
- (a) it is proposed to remove a person to a State to which this Part applies, and
 - (b) in the Secretary of State's opinion the person is not a national or citizen of the State.
- (2) The person may not bring an immigration appeal by virtue of section 92(2) or (3) of that Act (appeal from within United Kingdom: general).
- (3) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act (appeal from within United Kingdom: asylum or human rights) in reliance on an asylum claim which asserts that to remove the person to a specified State to which this Part applies would breach the United Kingdom's obligations under the Refugee Convention.
- (4) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act in reliance on a human rights claim if the Secretary of State certifies that the claim is clearly unfounded; and the Secretary of State shall certify a human rights claim where this paragraph applies unless satisfied that the claim is not clearly unfounded.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

Commencement Information

I41 Sch. 3 para. 10 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 11 A person who is outside the United Kingdom may not bring an immigration appeal on any ground that is inconsistent with treating a State to which this Part applies as a place—
- (a) where a person's life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion, and
 - (b) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I42 Sch. 3 para. 11 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

PART 4

THIRD LIST OF SAFE COUNTRIES (REFUGEE CONVENTION ONLY)

- 12 (1) This Part applies to such States as the Secretary of State may by order specify.
- (2) An order under this paragraph—
- (a) shall be made by statutory instrument, and
 - (b) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

Commencement Information

I43 Sch. 3 para. 12 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 13 (1) This paragraph applies for the purposes of the determination by any person, tribunal or court whether a person who has made an asylum claim may be removed—
- (a) from the United Kingdom, and
 - (b) to a State of which he is not a national or citizen.
- (2) A State to which this Part applies shall be treated, in so far as relevant to the question mentioned in sub-paragraph (1), as a place—
- (a) where a person's life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion, and
 - (b) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I44 Sch. 3 para. 13 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

- 14 Section 77 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (no removal while claim for asylum pending) shall not prevent a person who has made a claim for asylum from being removed—
- (a) from the United Kingdom, and
 - (b) to a State to which this Part applies;
- provided that the Secretary of State certifies that in his opinion the person is not a national or citizen of the State.

Commencement Information

I45 Sch. 3 para. 14 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 15 (1) This paragraph applies where the Secretary of State certifies that—
- (a) it is proposed to remove a person to a State to which this Part applies, and
 - (b) in the Secretary of State’s opinion the person is not a national or citizen of the State.
- (2) The person may not bring an immigration appeal by virtue of section 92(2) or (3) of that Act (appeal from within United Kingdom: general).
- (3) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act (appeal from within United Kingdom: asylum or human rights) in reliance on an asylum claim which asserts that to remove the person to a specified State to which this Part applies would breach the United Kingdom’s obligations under the Refugee Convention.
- (4) The person may not bring an immigration appeal by virtue of section 92(4)(a) of that Act in reliance on a human rights claim if the Secretary of State certifies that the claim is clearly unfounded.

Commencement Information

I46 Sch. 3 para. 15 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 16 A person who is outside the United Kingdom may not bring an immigration appeal on any ground that is inconsistent with treating a State to which this Part applies as a place—
- (a) where a person’s life and liberty are not threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion, and
 - (b) from which a person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I47 Sch. 3 para. 16 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

PART 5

COUNTRIES CERTIFIED AS SAFE FOR INDIVIDUALS

- 17 This Part applies to a person who has made an asylum claim if the Secretary of State certifies that—
- (a) it is proposed to remove the person to a specified State,
 - (b) in the Secretary of State’s opinion the person is not a national or citizen of the specified State, and
 - (c) in the Secretary of State’s opinion the specified State is a place—
 - (i) where the person’s life and liberty will not be threatened by reason of his race, religion, nationality, membership of a particular social group or political opinion, and
 - (ii) from which the person will not be sent to another State otherwise than in accordance with the Refugee Convention.

Commencement Information

I48 Sch. 3 para. 17 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 18 Where this Part applies to a person section 77 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (no removal while claim for asylum pending) shall not prevent his removal to the State specified under paragraph 17.

Commencement Information

I49 Sch. 3 para. 18 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 19 Where this Part applies to a person—
- (a) he may not bring an immigration appeal by virtue of section 92(2) or (3) of that Act (appeal from within United Kingdom: general),
 - (b) he may not bring an immigration appeal by virtue of section 92(4)(a) of that Act (appeal from within United Kingdom: asylum or human rights) in reliance on an asylum claim which asserts that to remove the person to the State specified under paragraph 17 would breach the United Kingdom’s obligations under the Refugee Convention,
 - (c) he may not bring an immigration appeal by virtue of section 92(4)(a) of that Act in reliance on a human rights claim if the Secretary of State certifies that the claim is clearly unfounded, and
 - (d) he may not while outside the United Kingdom bring an immigration appeal on any ground that is inconsistent with the opinion certified under paragraph 17(c).

Commencement Information

I50 Sch. 3 para. 19 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

Status: Point in time view as at 01/03/2007.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)

PART 6

AMENDMENT OF LISTS

- 20 (1) The Secretary of State may by order add a State to the list specified in paragraph 2.
- (2) The Secretary of State may by order —
- (a) add a State to a list specified under paragraph 7 or 12, or
 - (b) remove a State from a list specified under paragraph 7 or 12.

Commencement Information

I51 Sch. 3 para. 20 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

- 21 (1) An order under paragraph 20(1) or (2)(a)—
- (a) shall be made by statutory instrument,
 - (b) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament, and
 - (c) may include transitional provision.
- (2) An order under paragraph 20(2)(b)—
- (a) shall be made by statutory instrument,
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament, and
 - (c) may include transitional provision.

Commencement Information

I52 Sch. 3 para. 21 in force at 1.10.2004 by S.I. 2004/2523, art. 2, Sch.

SCHEDULE 4

Section 47

REPEALS

Commencement Information

I53 Sch. 4 in force at 1.10.2004 for specified purposes by S.I. 2004/2523, art. 2, Sch.

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Immigration Act 1971 (c. 77)	In Schedule 2— <ul style="list-style-type: none">(a) in paragraph 29(3), the words from “and where an adjudicator dismisses” to the end, and(b) paragraph 29(4).
House of Commons Disqualification Act 1975 (c. 24)	In Part III of Schedule 1, the entry relating to immigration adjudicators.

Status: Point in time view as at 01/03/2007.

Changes to legislation: *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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)*

Northern Ireland Assembly Disqualification Act 1975 (c. 25)	In Part III of Schedule 1, the entry relating to immigration adjudicators.
British Nationality Act 1981 (c. 61)	Section 40A(6) to (8).
Tribunals and Inquiries Act 1992 (c. 53)	Section 7(3).
Asylum and Immigration Appeals Act 1993 (c. 23)	Section 9A.
Asylum and Immigration Act 1996 (c. 49)	Section 8(9).
Immigration and Asylum Act 1999 (c. 33)	Sections 11 and 12. In section 72(10), “adjudicator”. In section 85(1), “and (b)”. Section 87(3)(f). Section 123. In Schedule 6, in paragraph 1(1), “or (b)”.
State Pension Credit Act 2002 (c. 16)	In Schedule 2, paragraph 42.
Tax Credits Act 2002 (c. 21)	In Schedule 4, paragraph 22.
Nationality, Immigration and Asylum Act 2002 (c. 41)	Section 52. Section 80. Section 87(4). Section 93. Section 94(4)(a) to (j). Sections 100 to 103. Section 104(3). In section 106— (a) in subsection (2)(e) and (f), “an adjudicator or”, (b) subsection (2)(j) and (k), (c) in subsection (2)(m), the words from “(which may” to the end, and (d) in subsections (2)(o), (p), (q), (r) and (s), (3)(a), (d), (e) and (4), “an adjudicator or”. Section 107(2). Schedule 5.
State Pension Credit Act (Northern Ireland) 2002 (c. 14 (N.I.))	In Schedule 2, paragraph 31.

Status:

Point in time view as at 01/03/2007.

Changes to legislation:

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 is up to date with all changes known to be in force on or before 18 May 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.