

*Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Part 5 is up to date with all changes known to be in force on or before 20 April 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) View outstanding changes*

## SCHEDULES

### SCHEDULE 3

#### REMOVAL OF ASYLUM SEEKER TO SAFE COUNTRY

#### 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

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

<sup>F1</sup>18 .....

#### Textual Amendments

**F1** Sch. 3 para. 18 omitted (28.6.2022) by Nationality and Borders Act 2022 (c. 36), s. 87(1), Sch. 4 para. 4; S.I. 2022/590, reg. 1(2), 2, Sch. 1 para. 17 (with Sch. 2 para. 4(4))

- 19 Where this Part applies to a person—
- <sup>F2</sup>(a) .....
  - (b) he may not bring an immigration appeal <sup>F3</sup>... 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 <sup>F4</sup>... in reliance on a human rights claim if the Secretary of State certifies that the claim is clearly unfounded, and
  - <sup>F5</sup>(d) .....

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#### Textual Amendments

- F2** Sch. 3 para. 19(a) omitted (20.10.2014) by virtue of [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 9 para. 56\(6\)\(a\)](#); [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))
- F3** Words in Sch. 3 para. 19(b) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(5)(b), [Sch. 4 para. 17\(a\)](#)
- F4** Words in Sch. 3 para. 19(c) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(5)(b), [Sch. 4 para. 17\(a\)](#) (with Sch. 4 para. 19(2)(d))
- F5** Sch. 3 para. 19(d) omitted (28.6.2022) by virtue of [Nationality and Borders Act 2022 \(c. 36\)](#), s. 87(5)(b), [Sch. 4 para. 17\(b\)](#)

#### Commencement Information

- I2** Sch. 3 para. 19 in force at 1.10.2004 by [S.I. 2004/2523](#), art. 2, [Sch.](#)

**Changes to legislation:**

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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. 8(1A)(1B) inserted by [2022 c. 36 s. 19\(2\)](#)
- s. 8(3A)(3B) inserted by [2022 c. 36 s. 19\(3\)](#)
- s. 8(6A)(6B) inserted by [2022 c. 36 s. 19\(4\)](#)
- s. 8(9A)(a) word inserted by [2022 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 8(9A)(b) and word inserted by [2022 c. 36 Sch. 3 para. 7\(c\)](#)
- s. 8(9B) inserted by [2022 c. 36 s. 19\(6\)](#)
- Sch. 3 para. 3(3) inserted by [2023 c. 37 s. 10\(9\)\(a\)](#)
- Sch. 3 para. 8(3) inserted by [2023 c. 37 s. 10\(9\)\(b\)](#)
- Sch. 3 para. 13(3) inserted by [2023 c. 37 s. 10\(9\)\(c\)](#)