



# Nationality and Borders Act 2022

## 2022 CHAPTER 36

### PART 2

#### ASYLUM

##### *Place of claim*

#### **14 Requirement to make asylum claim at “designated place”**

- (1) An asylum claim must be made in person at a designated place.
- (2) A “designated place” means any of the following places in the United Kingdom—
  - (a) a place identified in a notice published by the Secretary of State as an asylum intake unit;
  - (b) a removal centre (within the meaning of section 147 of the Immigration and Asylum Act 1999);
  - (c) a port (within the meaning of section 33 of the Immigration Act 1971);
  - (d) a place where there is a person present who, for the purposes of the immigration rules, is authorised to accept an asylum claim on behalf of the Secretary of State;
  - (e) a place to which the claimant has been directed by the Secretary of State or an immigration officer to make the claim;
  - (f) such other place, or a place of such other description, as the Secretary of State may by regulations designate.
- (3) The Nationality, Immigration and Asylum Act 2002 is amended in accordance with subsections (4) and (5).
- (4) In section 18(1)(c) omit “at a place designated by the Secretary of State”.
- (5) In section 113(1), in the definition of “asylum claim”, omit “at a place designated by the Secretary of State”.

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**Changes to legislation:** Nationality and Borders Act 2022, Cross Heading: Place of claim is up to date with all changes known to be in force on or before 17 August 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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- (6) In this section “asylum claim” means a claim made in accordance with the immigration rules by a person to the Secretary of State that to remove the person from, or require the person to leave, the United Kingdom would breach the United Kingdom’s obligations under the Refugee Convention.
- (7) The reference to the United Kingdom in subsection (2), so far as it has effect for the purposes of paragraph (d) of that subsection, does not include a reference to the territorial sea of the United Kingdom.
- (8) Regulations under subsection (2)(f) are subject to negative resolution procedure.

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#### Commencement Information

- I1** S. 14 in force at Royal Assent for specified purposes, see [s. 87\(4\)\(a\)](#)
- I2** [S. 14\(1\)\(2\)\(6\)\(7\)](#) in force at 28.6.2022 in so far as not already in force by [S.I. 2022/590](#), regs. 1(2), 2, [Sch. 1 para. 12](#) (with [Sch. 2 para. 4\(2\)](#))
- I3** [S. 14\(3\)\(5\)](#) in force at 28.6.2022 for specified purposes by [S.I. 2022/590](#), regs. 1(2), 2, [Sch. 1 para. 13](#) (with [Sch. 2 para. 4\(2\)](#))

**Changes to legislation:**

Nationality and Borders Act 2022, Cross Heading: Place of claim is up to date with all changes known to be in force on or before 17 August 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.

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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. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)