



# Nationality and Borders Act 2022

## 2022 CHAPTER 36

### PART 2

#### ASYLUM

##### *Appeals*

#### **28 Claims certified as clearly unfounded: removal of right of appeal**

- (1) The Nationality, Immigration and Asylum Act 2002 is amended in accordance with subsections (2) and (3).
- (2) In section 92 (place from which an appeal may be brought or continued)—
  - (a) in each of subsections (2)(a) and (3)(a), for “94(1) or (7) (claim clearly unfounded or removal to a safe third country)” substitute “94(7) (removal to a safe country)”;
  - (b) in each of subsections (6) and (8), for “94(1) or (7)” substitute “94(7)”.
- (3) In section 94 (appeal from within the United Kingdom: unfounded human rights or protection claim)—
  - (a) after subsection (3) insert—

“(3A) A person may not bring an appeal under section 82 against a decision if the claim to which the decision relates has been certified under subsection (1).”;
  - (b) in subsection (4), for “Those States” substitute “The States”;
  - (c) for the heading substitute “Certification of human rights or protection claims as unfounded or removal to safe country”.
- (4) The amendments made by this section do not apply in relation to a protection claim or human rights claim that was certified by the Secretary of State under section 94(1) before the coming into force of this section.

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**Changes to legislation:** There are currently no known outstanding effects for the Nationality and Borders Act 2022, Section 28. (See end of Document for details)

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#### Commencement Information

**II** [S. 28](#) in force at 28.6.2022, see [s. 87\(5\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Nationality and Borders Act 2022, Section 28.