



Illegal Migration Act 2023

2023 CHAPTER 37

Duty to make arrangements for removal

7 Powers to amend Schedule 1

- (1) The Secretary of State may by regulations amend Schedule 1 to add a country or territory, or part of a country or territory, if satisfied that—
 - (a) there is in general in that country or territory, or part, no serious risk of persecution, and
 - (b) removal of persons to that country or territory, or part, pursuant to the duty in section 2(1) will not in general contravene the United Kingdom's obligations under the Human Rights Convention.
- (2) If the Secretary of State is satisfied that the statements in subsection (1)(a) and (b) are true of a country or territory, or part of a country or territory, in relation to a description of person, regulations under subsection (1) may add the country or territory or part to Schedule 1 in respect of that description of person.
- (3) A description for the purposes of subsection (2) may refer to—
 - (a) sex,
 - (b) language,
 - (c) race,
 - (d) religion,
 - (e) nationality,
 - (f) membership of a social or other group,
 - (g) political opinion, or
 - (h) any other attribute or circumstance that the Secretary of State thinks appropriate.
- (4) In deciding whether the statements in subsection (1)(a) and (b) are true of a country or territory, or part of a country or territory, the Secretary of State—
 - (a) must have regard to all the circumstances of the country or territory, or part (including its laws and how they are applied), and

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- (b) must have regard to information from any appropriate source (including member States and international organisations).
- (5) The Secretary of State may by regulations amend Schedule 1 to omit a country or territory, or part of a country or territory; and the omission may—
 - (a) be general, or
 - (b) have the effect that the country or territory, or part, remains listed in Schedule 1 in respect of a description of person.