

*These notes refer to the Immigration and Asylum Act 1999
(c.33) which received Royal Assent on 11 November 1999*

IMMIGRATION AND ASYLUM ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 14: Consequential amendments

Section 12: Removal of asylum claimants in other circumstances

63. This section replaces section 2 of the Asylum and Immigration Act 1996 insofar as it applies to asylum seekers transferred to safe third countries other than in the circumstances provided for in section 11. This section re-creates the effect of section 2 of the 1996 Act in respect of these cases.
64. In addition, section 12 requires that removal may not proceed if there is an appeal outstanding in respect of a claim that the transfer would be in breach of the Human Rights Act 1998, or the period within which such an appeal should be lodged has not yet expired. In accordance with section 72, this requirement does not apply where the Secretary of State has certified that such a claim is manifestly unfounded.
65. [Section 15](#) of this Act replaces, with effect from the passing of this Act, section 6 of the Asylum and Immigration Appeals Act 1993. References to section 6 of the 1993 Act in section 2 of the 1996 Act should therefore be read as references to section 15 of this Act (see paragraph 102 of Schedule 14 and paragraph 2 of Schedule 15).