

2006 No. 3275

IMMIGRATION

**The Asylum (Designated States) (Amendment) (No. 2)
Order 2006**

<i>Made</i>	- - - -	<i>7th December 2006</i>
<i>Laid before Parliament</i>		<i>12th December 2006</i>
<i>Coming into force</i>	- -	<i>13th December 2006</i>

The Secretary of State, in exercise of the powers conferred by section 94(6) of the Nationality, Immigration and Asylum Act 2002(a), makes the following Order:

1. This Order may be cited as the Asylum (Designated States) (Amendment) (No.2) Order 2006 and shall come into force on the day after it is laid before Parliament.

2. The list of States in section 94(4) of the Nationality, Immigration and Asylum Act 2002(b) is amended by omitting “(v) Sri Lanka,”.

Home Office
7th December 2006

Liam Byrne
Minister of State

(a) 2002 c.41; section 94(6) was substituted by the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c.19), section 27(6).
(b) Sri Lanka was added by order (the Asylum (Designated States) (No.2) Order 2003 (S.I. 2003/1919)) made under the Nationality, Immigration and Asylum Act 2002 (c.41), section 94(5).

EXPLANATORY NOTE

(This note is not part of the Order)

Section 94 (Appeal from within United Kingdom: unfounded human rights or asylum claim) of the Nationality, Immigration and Asylum Act 2002 (“the 2002 Act”) concerns appeal rights for unfounded human rights or asylum claims.

Under section 94(2) of the 2002 Act, a person may not bring an appeal under section 82(1) of the 2002 Act while in the United Kingdom where he has made an asylum or human rights claim (or both) if the Secretary of State certifies that the claim or claims is or are clearly unfounded. The Secretary of State shall issue a certificate under section 94(2) of the 2002 Act if he is satisfied that the asylum claimant or human rights claimant is entitled to reside in a State listed in section 94(4) of the 2002 Act unless he is satisfied that the claim is not clearly unfounded.

This Order removes Sri Lanka from the list of States in section 94(4) of the 2002 Act.

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